

**JOURNAL**  
**OF THE**  
**House of Representatives**  
**OF THE**  
**STATE OF ALABAMA**  
**REGULAR SESSION**  
**Of 1975**

**HELD IN THE CITY OF MONTGOMERY**  
**COMMENCING TUESDAY, MAY 6, 1975**



**Vol. 4**

**WITH AN INDEX PREPARED BY THE**  
**CLERK OF THE HOUSE**

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OF THE  
HOUSE OF REPRESENTATIVES  
OF THE  
STATE OF ALABAMA  
REGULAR SESSION OF 1975**

**THIRTY-SIXTH DAY**

House of Representatives  
Montgomery, Alabama  
Thursday, October 9, 1975

The House met pursuant to adjournment.

**PRAYER**

The session was opened with prayer by the Reverend Karl Stegall, Whitfield United Methodist Church, Montgomery, Alabama.

**ROLL CALL**

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

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A quorum was present.

**REPORT OF STANDING COMMITTEE ON RULES**

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-fifth legislative day and finds the same to be correct.

**TOM DRAKE,**  
Chairman.

On motion of Mr. Crowe, the reading at length of the Journal of the House for the thirty-fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-fifth legislative day was approved.

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 407. Commending John L. Webb.

Also:

H. J. R. 408. Commending Walter R. Cosdon.

Also:

H. J. R. 414. Mourning the death of Jack Bradford Sr. of Walker County.

Also:

H. J. R. 415. Congratulating Mr. and Mrs. N. B. Underwood on their Golden Wedding Anniversary.

Also:

H. J. R. 423. Naming S. B. 152 The Harris-Jones Bill.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1739. To authorize the county board of education in all counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census to provide transportation for public school pupils, in grades one through twelve, who live less than two miles from the school they are attending if the local county or city superintendent certifies the routes are dangerous or hazardous.

Also:

H. 1962. Relating to counties having populations of not less than 600,000 inhabitants; to levy an additional license tax on cigarettes in such counties; to provide for the enforcement hereof, the collection of the tax and the disposition of the proceeds thereof; and to provide penalties for violation of the provisions of this act.

Also:

H. 356. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, to select and appoint a chief of the youth aid division, to provide for the appointment of the chief of the youth aid division, to provide for the salary of the chief of the youth aid division, and the method of payment of such salary.

Also:

H. 1939. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 1952. Relating to all cities having a population of 7,400 to 7,600 inhabitants, according to the most recent Federal Decennial Census; to provide that all city boards of education in such cities shall have the power to borrow against revenue derived from the sale of malt or



brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such cities, at any time in the future, vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed; and its becoming effective upon its signing by the Governor or it otherwise becoming law.

Also:

H. 1953. To require the City of Centreville in Bibb County to establish a personnel and merit system under the supervision of the State Personnel Department and to repeal all conflicting statutes.

Also:

H. 1954. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

Also:

H. 1955. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

Also:

H. 1956. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to prohibit the use of steel traps for the trapping of foxes prescribing a penalty for violation of this Act.

Also:

H. 1958. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; providing for the sheriff's expense allowance not to exceed \$8,000.00 per annum for the purchase of equipment and uniforms for sheriff and employees of sheriff's department in such counties.

Also:

H. 1965. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing for an increase in the annual expense allowance for the sheriff of such counties.

Also:

H. 1966. Relating to counties having a population of not less than 57,000 nor more than 61,000; to provide an additional expense allowance for the probate judge.

Also:

H. 1967. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for an additional expense allowance for the tax collector and the tax assessor.

Also:

H. 1968. To provide additional compensation for members of the jury commission in all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census.

Also:

H. 1969. Relating to all counties having populations of not less than 57,000 nor more than 61,000; providing further for the compensation and expenses of the circuit clerk and register in such counties.

Also:

H. 1949. To provide an additional expense allowance for the chairman and members of the county commission of all counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

Also:

H. 90. Relating to counties having populations of not less than 27,900 nor more than 33,500; to provide an additional per diem and mileage expense allowance for jurors in such counties.

Also:

H. 1716. To provide for a retirement pension for members of the county governing body of St. Clair County, to set the eligibility requirements for such pension and the amount, including contributions to retirement fund, and method and source of payment thereof.

Also:

H. 1454. To add to the land limits of the City of Vestavia Hills in Jefferson County, Alabama, by removing certain area now part of the unincorporated area of Jefferson County, Alabama, and adding same to the land limits of the City of Vestavia Hills, and to describe the area so removed from the unincorporated area of Jefferson County, Alabama, and so added to the City of Vestavia Hills.

Also:

H. 1914. To create a county planning commission in every county in this state which has a population of not less than 27,900 nor more than 33,500, according to the most recent federal decennial census; to provide for the organization, membership, powers, personnel, jurisdiction, and financial and legal status of such commission; to authorize the commission to make subdivision regulations, a master plan, and to adopt zoning regulations for the development of the county; to provide for an election in each beat prior to the application of such authority of the commission in each beat; to grant the commission power to zone certain areas within the county and provide a procedure for the amendment of zoning regulations; to prohibit zoning regulations from being retroactive; to provide remedies for the enforcement of the provisions of this act; and to provide exceptions to such zoning regulations and for appeals from the decisions of the commission.

McDOWELL LEE,  
Secretary.

#### RESOLUTION

The following resolution was introduced:

By Mr. Smith (C):

H. J. R. 424. MOURNING THE DEATH OF REGINALD WILTON LAWLEY.

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WHEREAS, on September 25, 1975, R. W. Lawley, a lifelong resident of Shelby County, died after a long life of service to his community and county; and

WHEREAS, Mr. Lawley was a member of the Shelby County Jury Commission for over sixteen years; and

WHEREAS, Mr. Lawley was a member of the Shelby County Democratic Executive Committee for over thirty years; and

WHEREAS, he was a founder and President of the Senior Citizens Club in the Pea Ridge Community near Montevallo; and

WHEREAS, he devoted his life to working in all phases of government to make it function effectively to benefit the people of his community and county; and

WHEREAS, he was a member of the Methodist Church, Masons, Royal Arch, and the Eastern Star;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring that this body does mourn the passing of Reginald Wilton Lawley, and does send sincere condolences to the surviving members of his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to his widow, Mrs. Hester J. Lawley, Route 3, Montevallo; and to his sons, Mr. R. W. Lawley, Jr., Director of Development, University of Montevallo; and Mr. Don E. Lawley, Legal Counsel, Department of Examiners of Public Accounts.

On motion of Mr. Smith (C), the rules were suspended and the resolution, H. J. R. 424, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 1018. Relating to elections; to define "primary elections"; to provide party may choose to come under law; to define "political party"; to define the term "total vote"; to provide which elections are within the law; to provide for the date of elections; allows party to elect convention delegates by presidential preferential primary; to provide for party committees and their election; to provide for payment of expenses of primary elections; to provide method of filing declaration of candidacy and require party chairman to certify such candidates; to require candidates to be eligible to hold office; to provide for public notice to election; to establish who may vote in primary; to provide for method of registering voters by political party preference and requiring all voters in future primaries to be registered as a member of respective party; to provide for method of changing party registration; to allow parties to assess fees against candidates; to allow candidates to nominate election officers and provides for oath of said officers; to provide for official ballots and election stationery; to provide for ballot boxes and voting machines to be used; to provide official form of ballot; provides method of challenging voters; to provide regulations for handling challenged ballots; to provide methods of casting votes; to provide for poll watchers; to provide for assistance to voters unable to read English; to provide duties of sheriff; to provide time of counting ballots; to provide for disposition of ballots, lists and supplies; to require public proclamation of the result; to provide for tabulation and declaration of results by precinct; to provide for declaration of candidate or nominee; to pro-

vide for date of second primary; to provide for breaking tie votes; to provide for certification of nominees to probate judge; to provide for filling vacancies in nominations; to provide for method, time and place of mass meetings; to provide penalties for violation of mass meeting law; and to repeal Code of Alabama 1940, Title 17, Chapter 2.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Mitchell, McMillan and Pearson.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. McMillan, the House acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 1018.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Edwards, Falkenburg, Folmar, Gafford, Glass, Hall, Harris, Harrison, Hill, Howard, Jackson (F), Jolly, Kinsey, Lee, LeFlore, Leonard, Lewis, Lutz, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Reed, Riddick, Robertson, Smith (B), Smith (C), Smith (J), Sparks, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

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And the Speaker named a Committee on Conference on the part of the House, Messrs. Smith (J), McMillan and Hill.

#### RESOLUTIONS

The following resolutions were introduced:

By Messrs.: Robertson, Merrill, Barron, Plaster, Folmar, Callahan, McCluskey, Naramore, Riddick, Waggoner, McNair, Weeks, Turnham and Coburn:

H. J. R. 425. MOURNING THE DEATH OF GEORGE ALBERT CRAWFORD, BROTHER OF REPRESENTATIVE BUDDY CRAWFORD.

WHEREAS, George Albert Crawford, retired Navy Chief Petty Officer of San Anselmo, California and brother of Representative Buddy Crawford has recently died; and

WHEREAS, we share the grief of the Crawford family; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the untimely death of George Albert Crawford, and express our deepest sympathy to the family of Rep. Buddy Crawford.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Rep. Buddy Crawford.

On motion of Mr. Robertson, the rules were suspended and the resolution, H. J. R. 425, was adopted.

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Also:

By Mr. Robertson:

H. J. R. 426. NAMING SENATE BILL 576 THE "LITTLETON-SMITH BILL".

WHEREAS, Senator Obie Littleton and Representative Curtis Smith, both of Clanton, Alabama, have worked tirelessly for the passage of the Confederate Memorial Park Bill, Senate Bill 576; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Senate Bill 576 be known as the "Littleton-Smith Bill."

On motion of Mr. Robertson, the rules were suspended and the resolution, H. J. R. 426, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs.: Ellis, Pearson, Mims and Wilson:

S. J. R. 157. Designating the road running from the I-65 Exit at Hayden's Corner to Rickwood Caverns the "Rickwood Caverns State Park Scenic Drive".

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Mr. Crowe, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 157, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Sasser:

H. R. 427. COMMENDING MRS. SUE SHAW OF OZARK, ALABAMA.

WHEREAS, Mrs. Sue Shaw, a native of Lake City, Tennessee, since adopting Ozark as her home in 1966 has served her community with enthusiasm and zeal; and

WHEREAS, from 1966 to the present she has been active in a host of civic and charitable organizations in the Fort Rucker-Ozark area; and

WHEREAS, included in the organizations which she has served are: The Ozark Service League, The Maude Martin Study Club, The Board of Counselors of Tri-M Club, The American Federated Women's Club, The Blood Mobile Committee, The Pilot Club, The Officers' Wives Club, The Cancer Clinic, Friends of The Library, and the Red Cross; and

WHEREAS, the work of Mrs. Sue Shaw has been recognized in that she has held the following offices in these organizations and clubs: President of the Ozark Service League (1974), President of the Pilot

Club (1975-76), Representative of the Retired Officers' Wives Auxiliary on the Officers' Wives Club Executive Board, President of the Officers' Wives Club (1974), House Committee of the Ozark Country Club (1974), Chairwoman of the Cancer Clinic; and

WHEREAS, in 1973 Mrs. Sue Shaw was instrumental in organizing the Retired Officers' Wives Auxiliary and in that same year she served as Chairwoman of the 1974 "Little Miss" and "Miss Ozark" beauty pageants; and

WHEREAS, Mrs. Shaw has reflected great credit on herself, the State of Alabama and the organizations which she has so ably represented, and particularly as the Pilot Club delegate to international and district conventions; and

WHEREAS, in 1974 she was elected District Director for the sixth district of the Alabama Federation of Women's Clubs, which district encompasses nine counties with sixty-two clubs; and

WHEREAS, because of her outstanding leadership Mrs. Sue Shaw has been nominated for the Ozark Woman of the Year Award by the Pilot Club, the Maude Martin Study Club, The Ozark Service League and The Woman's Guild; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That we do heartily commend Mrs. Sue Shaw for her enthusiasm, zeal and dedication to the service of others as exhibited through her organization and club activities, and thank her for her contributions for the betterment of the citizens of her community, state and nation.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Sue Shaw at 1113 Rosemary Lane, Ozark, Alabama 36360.

On motion of Mr. Sasser, the rules were suspended and the resolution, H. R. 427, was adopted.

#### RESOLUTIONS

The following resolutions introduced on the thirty-fifth legislative day were read by title pursuant to Joint Rule 11:

S. J. R. 143. Commending James Allen (Beau) Johnson, Jr., for continuing his education while serving in the U. S. Air Force.

S. J. R. 147. Commending the Birmingham Public Library on its Book-by-Mail program for the handicapped and senior citizens over sixty-five years of age.

S. J. R. 149. Congratulating Senator Pearson upon his appointment to the Miles College Board of Trustees.

S. J. R. 151. Expressing appreciation to the members of the Medical Association of the State of Alabama who participated in the "Physician for a Day" Program.

On motion of Mr. Crowe, the resolutions were adopted en masse.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Moore (O), the rules were suspended in order to bring up out of order the bill, S. 992.

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And the bill:

S. 992. To exempt from the sales tax levied by Act 100, Second Special Session, Legislature of Alabama 1959, sales of sod by a farmer.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Boles, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Folmar, Ford, Gafford, Glass, Greer, Harris, Harrison, Hill, Hines, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sasser, Smith (C), Smith (M), Sonnier, Sparks, Starkey, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

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BILLS ON THIRD READING

And the bill:

S. 343. Relating to judicial procedure, and to provide that the selecting and empaneling of juries in all criminal and quasi-criminal cases in the circuit courts in counties having populations of 600,000 or more according to the last or any future federal decennial census, except that the court in its discretion may order the selection of one or two alternate jurors in the manner now prescribed by law for such counties; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 59; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Boles, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crowe, Falkenburg, Glass, Goodwin, Hall, Harris, Harrison, Hilliard, Hines, Jackson (F), Jolly, Kelley, Killian, Lee, LeFlore, Leonard, Lewis, Lockett, McCluskey, McCulley, McMillan, McNees, Manley, Merrill, Mitchem, Morris, Pegues, Plaster, Quarles, Reed, Roberts, Sandusky, Sasser, Smith (C), Smith (M), Sonnier, Starkey, Trammell, Tucker, Turnham, Venable, Warren, Weeks, Whatley and Williams.

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Nay: Mr. Waggoner.

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And the bill:

S. 628. Relating to the compensation of the Legal Stenographer of the District Attorney of the Sixth Judicial Circuit, amending Act No. 657 of 1973 Regular Session of Legislature of Alabama.

Was taken up.

Mr. Howard offered the following substitute to the bill:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize and provide for the payment out of the county treasury of pension or retirement allowances, under certain circumstances, to judges of the county court in any county in the Sixth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who has served at least twelve years as judge of the county court of any county in the Sixth Judicial Circuit of this State and who has reached the age of sixty years of age shall, upon application to the county governing body of the county, be entitled to a pension or retirement allowance in the amount of six hundred dollars per month payable out of any funds available therefor in the county treasury. The application shall be made not less than thirty days before the applicant desires to start receiving such pension or retirement allowance and shall be in such form as prescribed by the county governing body. Upon receipt of an application for a pension or retirement allowance as authorized above, if the county governing body is convinced that the applicant meets the qualifications prescribed above, it shall order and provide for the payment to such applicant of the pension or retirement allowance, hereinabove authorized, on the first day of each month for the remainder of the applicant's life in the same manner that the salaries of county employees are paid.

Section 2. The provisions of this Act shall apply only to those persons who are in office at the time of the passage of this Act or who may thereafter become eligible under its provisions.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Cross, Crowe, Glass, Greer, Harris, Hill, Hines, Howard, Johnson, Jolly, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Morris, Naramore, Pegues, Plaster, Reed, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Sonnier, Sparks, Trammell, Turnham, Venable, Warren, Whatley, White and Williams.

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And the bill, S. 628 as amended, was read a third time at length and passed.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Albright, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Cross, Glass, Greer, Hall, Harris, Hill, Hines, Jackson (F),



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Johnson, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Morris, Naramore, Owens, Pegues, Plaster, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Sonnier, Sparks, Trammell, Turnham, Venable, Warren, Whatley and Williams.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO RECONSIDER

Having voted on the prevailing side, Mr. Andrews offered the motion to reconsider the vote by which the bill, S. 343, was passed.

MOTION TO TABLE LOST

The motion offered by Mr. Hilliard to table the motion offered by Mr. Andrews to reconsider the vote by which the bill, S. 343, was passed, was lost.

Yeas 7; Nays 10.

Yeas:

Messrs.: Armstrong, Harrison, Hilliard, Howard, Leonard, McNair and Tucker.

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Nays:

Messrs.: Andrews, Biddle, Falkenburg, Gafford, Hopping, Jolly, Moore (O), Trammell, Waggoner and White.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1046. To prohibit the unauthorized copying of certain recorded articles for sale and the sale of such articles with knowledge that the sounds have been transferred thereon without the consent of the owner and providing punishment therefor.

Also:

H. 860. Relating to the Sixteenth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

H. 291. Relating to taxation; amending Section 613, Title 51, Code of Alabama (1940), as last amended, which relates to the licensing of vending machines.

Also:

H. 451. To amend Section 584 of Title 7, Code of Alabama 1940, relating to the registration of judgments and decrees, so as to require the address of each defendant or respondent as shown in the court proceedings to appear on the certificate of registration.

Also:

H. 222. To provide that the boards of Alabama Institute for Deaf and Blind, Alabama Boys Industrial School, Alabama Girls Industrial School, and the Industrial School at Mt. Meigs shall grant personal leave to teachers.

Also:

H. 843. To establish an Alabama Women's Hall of Fame; to prescribe its purposes and membership; to provide for election of members and officers and for the holding of meetings; and to appropriate funds for the use of the Board in carrying out its purposes.

Also:

H. 1208. Relating to individual income taxation; providing further for deductions from gross income for state income tax purposes.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 1114. Relating to the City of Montgomery in Montgomery County; to provide that the public street known as Fieldcrest Drive may not be constructed as a grade level crossing where it intersects the Central of Georgia railroad tracks; if Fieldcrest Drive is to be constructed as a four (4)-lane street in either direction from said railroad tracks, provided however, that Fieldcrest Drive may be opened as a grade level crossing if said street remains as a two (2)-lane street from either direction of the said intersection.

Also:

S. 1155. Proposing an amendment to the Constitution of Alabama relating to levying additional ad valorem taxes by the City of Vestavia Hills, Jefferson County, Alabama.

Also:

S. 1157. To provide that no board of adjustment authorized by Section 781, Title 37, Code of Alabama, as amended, and provided for by any municipality which is located within any county, which county now has or may hereafter have a population in excess of 500,000 according to the last or any succeeding decennial federal census, shall grant a variance under the zoning ordinance of such municipality to allow a structure or use in a district restricted against such structure or use except as specifically provided for by the zoning ordinance of such municipality.

Also:

S. 1136. To apply to every county of the state having a population of more than 500,000 according to the last or any subsequent federal

census; to define for and in such county an associate registrar as a member of the board of registrars of the county other than the chairman of said board; to provide that the term of an associate registrar shall expire on a date four years subsequent to the date of his appointment; to provide that if when an associate registrar's term expires there are then a full time chairman of the board of registrars subject to a civil service system and full time employees of said board subject to said civil service system, the appointing board, provided for by Section 21, Title 17, Code of Alabama of 1940, shall not appoint a successor to such associate registrar until the appointing board has received a resolution of the governing body of the county requesting that the appointing board appoint a successor to the associate registrar whose term has expired; to provide that the governing body shall not adopt any such resolution unless such governing body has found, and recites in said resolution, that it is essential to the efficient functioning of the board of registrars that the appointing board appoint a successor to the associate registrar whose term has expired; to provide that as soon as practical after the appointing board receives such resolution the appointing board shall appoint a successor to the associate registrar whose term has expired; to provide that upon an associate registrar's term expiring thereafter until his successor is appointed the chairman, or the chairman and the remaining associate registrar, as the case may be, shall perform the functions and duties of the board of registrars; to provide that when the chairman performs the functions and duties which a former associate registrar would have performed if his term had not expired, the State of Alabama shall pay to the general fund of the county an amount equal to the compensation which the state would have paid such former associate registrar if he as an associate registrar had performed the duties the chairman performed in his stead.

Also:

S. 1252. To adopt minimum standard codes for all counties now or hereafter having more than 600,000 population according to the latest federal census; to provide for the revision of these codes; to allow local modification of these codes; to authorize county governing bodies to enforce these codes; and to authorize the prescription and collection of the fees necessary to effect the enforcement of these codes, providing penalties for the violation of this act.

Also:

S. 75. To create the Office of Prosecution Services, to provide for the appointment of an Executive Director and his staff; and to provide for the duties of the office and the salary of such Director and employees.

Also:

S. 152. To further amend Act No. 173, H. 311, Regular Session 1945, (Acts 1945, p. 304), so as to add a representative from AMVETS to the State Board of Veterans Affairs.

Also:

S. 164. To establish within the Department of Insurance a Receivership Division, to provide for the management thereof and to enumerate the duties, responsibilities and authority to be conferred thereon.

Also:

S. 169. To provide protection to policyholders and beneficiaries of insolvent insurers in receivership by establishing a priority of certain

claims to be allowed by receivership courts so as to make policyholders and beneficiaries of such insurers preferred creditors; and to make further provision for protection of policyholders by authorizing receivers of such insurers to transfer to solvent insurers certain assets of receivership estates as consideration or as reserves for reinsurance of policies of insolvent insurers upon hearing and approval of the appropriate circuit court having jurisdiction of such case or cases; and to provide for priorities of claims among classes of policyholders and beneficiaries; and to relieve the receiver of any civil liability to creditors for acts performed pursuant to such court orders.

Also:

S. 335. Providing for the licensing of insurance premium finance companies; imposing powers and duties on the Commissioner of Insurance; providing for regulation of such companies in the rates and charges permissible and penalties for violations of this Act.

Also:

S. 391. To amend Section 4 of Act No. 46 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended, so as to provide that the certificate of incorporation of a county hospital board may contain provisions requiring that one or more of the members of its board of directors be elected from persons residing in certain specified political or other similar subdivisions of the county or from certain specified occupational or other similar groups or from among persons nominated by specified political subdivisions, public officers or occupational or other similar groups and so as to validate any certificates of incorporation of such hospital boards heretofore filed and containing such provisions.

Also:

S. 416. To amend Sections 36 and 38, as amended, of Title 53, Code of Alabama 1940, being Sections 9 and 11 of Act No. 542, Regular Session 1959, pp. 1335 et seq. which regulate transactions in securities in Alabama so as to resolve an ambiguity and make it clear that Alabama Credit Unions are entitled to the same exemptions enjoyed by banks, savings and loan associations and trust companies.

Also:

S. 495. To authorize the governing bodies of counties in this state to make temporary loans in anticipation of the receipt of funds from the United States under the "State and Local Fiscal Assistance Act of 1972".

Also:

S. 496. To amend Section 125 of Title 12, Code of Alabama 1940, as last amended, which relates to the interest rate and maturity of temporary loans made by the county governing bodies in anticipation of taxes.

Also:

S. 517. To authorize the registers and clerks of the circuit courts of this state to destroy all exhibits offered and received in evidence in civil, and equity cases on or after one year from the final disposition of the case in which they were offered and received.

Also:

S. 658. Relating to taxation; to amend Title 51, Section 2 (1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from

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ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12) months after production or manufacture.

Also:

S. 755. To amend Sections 8, 9, 11, 13, 14, 16 and 23 of Act No. 79, S. 76, approved September 15, 1961, an act regulating the practice of engineering and land surveying; so as to provide: additional liability protection and legal counsel for the Board, biennial printing of Roster, an increase in certain fees and an increase in amount of funds that the Board may retain; and further to make an additional appropriation to to the Alabama State Board of Registration for Professional Engineers and Land Surveyors from the "Professional Engineers' Fund" for the fiscal years ending September 30, 1975, September 30, 1976 and September 30, 1977.

Also:

S. 1041. To Amend Section 9 of Act 1938, Regular Session 1971 which Act relates to the inspection of mobile homes by the State Fire Marshal so as to increase inspection fees, original fees, and to provide for appropriation of funds to the State Fire Marshal.

McDOWELL LEE,  
Secretary.

SIGNING OF SENATE BILLS

The Speaker of House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 20. To provide that all retirement income received by any retired military personnel and survivor benefits derived therefrom shall be exempt from all state, county or city income taxes or like taxes.

Also:

S. 171. To amend Section 54 of Act No. 407, Acts of Alabama 1971, codified into Section 54, Title 28A, Code of Alabama 1940 (recompiled 1958) by raising the capital requirements of insurance companies.

Also:

S. 1033. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Intermediate Court, and the District Attorney's Office.

Also:

S. J. R. 156. Amending S. J. R. 39, Third Special Session 1975.

McDOWELL LEE,  
Secretary.

## SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

## MOTION IN WRITING FILED

Mr. Smith (M) filed the following Motion in Writing:

Having voted with the prevailing side on amendment by Rep. White to Senate Bill 616 on the last legislative day, I move that the vote by which said amendment failed to pass, be now reconsidered.

## S. 343 RESUMED

## MOTION TO RECONSIDER

The question was then on the motion offered by Mr. Andrews to reconsider the bill, S. 343.

## MOTION TO TEMPORARILY CARRY OVER

Mr. Armstrong offered the motion to temporarily carry over reconsideration of the bill, S. 343.

## MOTION TO TABLE LOST

The motion offered by Mr. Gafford to table the motion offered by Mr. Armstrong to temporarily carry over reconsideration of the bill, S. 343, was lost.

Yeas 10; Nays 10.

## Yeas:

Messrs.: Andrews, Biddle, Falkenburg, Gafford, Hopping, Jolly, Moore (O), Trammell, Waggoner and White.

—10

## Nays:

Messrs.: Armstrong, Boles, Harrison, Hilliard, Howard, Leonard, Lewis, McNair, Porter and Tucker.

—10

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

## MOTION TO TEMPORARILY CARRY OVER LOST

The question was then on the motion offered by Mr. Armstrong to temporarily carry over reconsideration of the bill, S. 343, and the motion was lost.

Yeas 10; Nays 10.

## Yeas:

Messrs.: Armstrong, Boles, Harrison, Hilliard, Howard, Leonard, Lewis, McNair, Porter and Tucker.

—10

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*Nays:*

Messrs.: Andrews, Biddle, Falkenburg, Gafford, Hopping, Jolly, Moore (O), Trammell, Waggoner and White.

—10

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO RECONSIDER ADOPTED

The question was then on the motion offered by Mr. Andrews to reconsider the bill, S. 343, and the motion was adopted.

Yeas 11; Nays 10.

*Yeas:*

Messrs.: Andrews, Biddle, Falkenburg, Gafford, Glass, Hopping, Jolly, Moore (O), Trammell, Waggoner and White.

—11

*Nays:*

Messrs.: Armstrong, Boles, Harrison, Hilliard, Howard, Leonard, Lewis, McNair, Porter and Tucker.

—10

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO INDEFINITELY POSTPONE

Mr. Gafford offered the motion to indefinitely postpone the bill, S. 343.

SUBSTITUTE MOTION TO TEMPORARILY CARRY OVER

Mr. Hill offered the substitute motion to temporarily carry over the bill, S. 343, to the motion offered by Mr. Gafford to indefinitely postpone the bill.

SUBSTITUTE MOTION TO SUBSTITUTE MOTION ADOPTED

Mr. Gafford offered the substitute motion to place the bill, S. 343, on the Regular Calendar as a contested local bill, to the substitute motion offered by Mr. Hill, and the substitute motion offered by Mr. Gafford was adopted.

S. 343 PLACED ON REGULAR CALENDAR

On substitute motion of Mr. Gafford, the bill, S. 343, was placed on the Regular Calendar as a contested local bill.

BILLS ON THIRD READING RESUMED

And the bill:

S. 633. To authorize any county governing body in the Sixth Judicial Circuit to furnish to the office of District Attorney necessary personnel, equipment and supplies.

Was read a third time at length and passed.

Yeas 55; Nays 0.

*Yeas:*

Mr. Speaker, Andrews, Armstrong, Baker, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Crowe, Drake, Folmar, Goodwin, Greer, Hall, Harris, Higginbotham, Hilliard, Hines, Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Killian, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, Malone, Manley, Martin, Merrill, Mitchem, Naramore, Pegues, Plaster, Porter, Rich, Shelton, Smith (M), Sparks, Starkey, Taylor, Teague, Turnham, Venable and Williams.

—55

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Reed, the rules were suspended in order to bring up out of order the bill, H. 585.

And the bill:

H. 585. To amend Sections 1 and 4 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 1.

*Yeas:*

Mr. Speaker, Baker, Brindley, Callahan, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Hall, Harris, Harrison, Hines, Howard, Jackson (F), Johnson, Johnstone, Kennedy, Killian, LeFlore, Leonard, Lewis, Lockett, McCluskey, McCulley, McMillan, McNair, Malone, Manley, Martin, Merrill, Mitchem, Naramore, Plaster, Porter, Reed, Rich, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Teague, Tucker, Turnham, Venable, Waggoner, Warren, White, Williams and Wyatt.

—65

*Nay:* Mr. Riddick.

—1

#### RULES CHANGE

Having previously filed a Motion in Writing, Mr. Gafford moved to consider the following Rules Change.

#### RESOLUTION

The following resolution was introduced:

By Mr. Gafford:

H. R. 428. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA That in determining whether or not a local bill can be contested, in all counties that comprise the Committee on Local Legislation No. 1 there must be a contest from the member by the district affected.



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When a local bill has been properly contested, no motion to carry over all bills on the calendar to that bill will be in order unless the rules are suspended.

Mr. Gafford offered the following substitute to the resolution, H. R. 428:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA That when a local bill has been properly contested, no motion to carry over all bills on the calendar to that bill will be in order unless the rules are suspended.

MOTION TO TABLE LOST

The motion offered by Mr. Boles to table the substitute offered by Mr. Gafford to the resolution, H. R. 428, was lost.

Yeas 23; Nays 59.

*Yeas:*

Messrs.: Albright, Boles, Coburn, Dial, Goodwin, Hall, Harrison, Hilliard, Hopping, Howard, Jackson (R), Johnson, LeFlore, Leonard, Lutz, McNair, Merrill, Porter, Riddick, Shelton, Teague, Tucker and Wyatt.

—23

*Nays:*

Mr. Speaker, Andrews, Armstrong, Barron, Brindley, Callahan, Campbell, Carter, Cates, Clark, Cooper, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Greer, Harris, Higginbotham, Holley, Jackson (F), Johnstone, Jolly, Kinsey, Lee, Lewis, McCulley, McMillan, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Taylor, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White and Williams.

—59

The question was then on the adoption of the substitute offered by Mr. Gafford to the resolution, H. R. 428, and the substitute was adopted.

Yeas 69; Nays 18.

*Yeas:*

Mr. Speaker, Albright, Andrews, Armstrong, Barron, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Holley, Hopping, Jackson (F), Johnstone, Jolly, Kinsey, Lee, Lewis, Lockett, Lutz, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Taylor, Trammell, Venable, Waggoner, Warren, Weeks, Whatley and Williams.

—69

*Nays:*

Messrs.: Boles, Coburn, Hall, Harrison, Hilliard, Howard, Jackson (R), Johnson, LeFlore, Leonard, McNair, Porter, Reed, Riddick, Teague, Tucker, White and Wyatt.

—18

And the resolution, H. R. 428 as amended, was adopted.

Yeas 65; Nays 17.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Gregg, Harris, Higginbotham, Holley, Hopping, Jackson (F), Johnstone, Jolly, Kinsey, Lee, Lewis, Lockett, Lutz, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Taylor, Trammell, Venable, Waggoner, Weeks and Williams.

—65

Nays:

Messrs.: Boles, Coburn, Greer, Hall, Harrison, Hill, Hilliard, Howard, Jackson (R), LeFlore, Leonard, McNair, Reed, Smith (J), Tucker, White and Wyatt.

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#### RECESS

On motion of Mr. Manley, the House recessed until 1:30 o'clock p. m.

#### HOUSE RECONVENED

The hour of 1:30 o'clock p. m. having arrived, the House reconvened. The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1946. To name the state grain elevator at Phenix City, Alabama, the W. O. "Bill" Patterson Grain Elevator.

Also:

H. 1669. To authorize the state of Alabama, acting through its agency, the Alabama state docks department, with the consent of the governor, to enter into contracts and agreements with the United States of America or any of its agencies for the purpose of acquiring from the United States of America, or any of its agencies, funds and facilities for public use in connection with waterways and navigation for which said funds are obtained and to comply with the provisions of Public Law No. 91-646 known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 in connection with such public projects for which Federal funds are available and used.

Also:

H. 119. To amend Code of Alabama 1940, Title 8, Sections 92 and 93 relative to maximum penalties for hunting on the property of another without permission.

Also:

H. 1628. To amend Section 4 of Act No. 712, H. 48, Acts of Alabama 1951 (Acts 1951, Vol. II, p. 1250) relating to tourist advertising, to

permit the purchase of intrastate advertising of state-owned parks by bureau of publicity and information.

Also:

H. 463. To amend Sections 10 and 15 of Act No. 784, H. 316, Regular Session 1953 (Acts 1953, p. 1069) regulating the use of commercial fishing gear in the public fresh waters of this state so as to increase the penalties for the violation of this act.

Also:

H. 88. To amend Sections 1, 6 & 9 of Act No. 217, Senate 23, page 259, Volume 1, Acts of Alabama 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding and the expenditure of public funds; to authorize cooperative purchasing among local purchasing agencies.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 80. To provide facilities for displaying certain aviation and other exhibits in cooperation with the Department of the Army; creating the Alabama Aviation Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Also:

H. 640. To exempt from the sales tax levied by Act 100, Second Special Session, Legislature of Alabama 1959, sales of sod by a farmer.

Also:

H. 81. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding (\$2,000,000.00) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of the Army.

Also:

H. 39. To change the name of the "Director" of the Department of Labor to the "Commissioner" of the Department of Labor.

Also:

H. 788. To further amend and reenact the Title and Act of Act No. 563, S. 8, Acts of Alabama 1965, Regular Session, at pages 1049-1050, as amended by Act No. 725, S. 82, Acts of Alabama 1967, Regular Session, at pages 1560-1561, relating to the reporting of incidents of abuse or neglect of children: by adding a new section 1, which gives definitions of "abuse", "neglect," "child" (meaning a person under the age of eighteen years), and "duly constituted authority"; by adding a new section 2, which gives the purpose of the Act; by amending section 1 to be section 3, to include further categories of persons who are required to report

child abuse or neglect and to provide for reporting to a "duly constituted authority"; by adding a new section 4, which allows for permissive reporting of child abuse or neglect; by amending section 2 to be section 5; by adding a new section 6, which provides for protective custody of abused or neglected children; by adding a new section 7, which gives the duties of the department of pensions and security upon a receipt of a report of child abuse or neglect; by adding a new section 8 which provides for the establishment of a central registry of reports of child abuse and neglect and also provides for the confidentiality of such reports and records, with a violation of this provision of confidentiality being a misdemeanor and punishable accordingly; by amending section 3 to be section 9; by amending section 4 to be section 10 and by excepting the attorney client privilege from the provision whereby the doctrine of privileged communication is not grounds for excluding evidence in judicial proceedings resulting from reports of child abuse or neglect; by adding a new section 11, which provides that in every case involving an abused or neglected child which results in a judicial proceeding, an attorney will be appointed to represent the child; by adding a new section 12 which provides that the department of pensions and security may make regulations as may be necessary to implement this Act; by amending sections 5, 6, 7 and 8 to be sections 13, 14, 15, and 16 respectively; and by making further changes.

McDOWELL LEE,  
Secretary.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rule begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 343. Congratulating Huntsville Senior High School upon being awarded the National Bellamy Award.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

#### SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 407. Commending John L. Webb.

Also:

H. J. R. 408. Commending Walter R. Cosdon.

Also:

H. J. R. 414. Mourning the death of Jack Bradford Sr. of Walker County.

Also:

H. J. R. 415. Congratulating Mr. and Mrs. N. B. Underwood on their golden wedding anniversary.

Also:

H. J. R. 423. Naming S. B. 152 the Harris-Jones Bill.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

#### SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1739. To authorize the county board of education in all counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census to provide transportation for public school pupils, in grades one through twelve, who live less than two miles from the school they are attending if the local county or city superintendent certifies the routes are dangerous or hazardous.

Also:

H. 1962. Relating to counties having populations of not less than 600,000 inhabitants; to levy an additional license tax on cigarettes in such counties; to provide for the enforcement hereof, the collection of the tax and the disposition of the proceeds thereof; and to provide penalties for violation of the provisions of this act.

Also:

H. 356. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, to select and appoint a chief of the youth aid division, to provide for the appointment of the chief of the youth aid division, to provide for the salary of the chief of the youth aid division, and the method of payment of such salary.

Also:

H. 1939. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 1952. Relating to all cities having a population of 7,400 to 7,600 inhabitants, according to the most recent Federal Decennial Census; to

provide that all city boards of education in such cities shall have the power to borrow against revenue derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such cities, at any time in the future, vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed; and its becoming effective upon its signing by the Governor or its otherwise becoming law.

Also:

H. 1953. To require the City of Centreville in Bibb County to establish a personnel and merit system under the supervision of the State Personnel Department and to repeal all conflicting statutes.

Also:

H. 1954. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

Also:

H. 1955. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

Also:

H. 1956. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to prohibit the use of steel traps for the trapping of foxes prescribing a penalty for violation of this Act.

Also:

H. 1958. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; providing for the sheriff's expense allowance not to exceed \$8,000.00 per annum for the purchase of equipment and uniforms for sheriff and employees of sheriff's department in such counties.

Also:

H. 1965. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing for an increase in the annual expense allowance for the sheriff of such counties.

Also:

H. 1966. Relating to counties having a population of not less than 57,000 nor more than 61,000; to provide an additional expense allowance for the probate judge.

Also:

H. 1967. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent

federal decennial census; to provide for an additional expense allowance for the tax collector and the tax assessor.

Also:

H. 1968. To provide additional compensation for members of the jury commission in all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census.

Also:

H. 1969. Relating to all counties having populations of not less than 57,000 nor more than 61,000; providing further for the compensation and expenses of the circuit clerk and register in such counties.

Also:

H. 1949. To provide an additional expense allowance for the chairman and members of the county commission of all counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

Also:

H. 90. Relating to counties having populations of not less than 27,900 nor more than 33,500; to provide an additional per diem and mileage allowance for jurors in such counties.

Also:

H. 1716. To provide for a retirement pension for members of the county governing body of St. Clair County, to set the eligibility requirements for such pension and the amount, including contributions to retirement fund, and method and source of payment thereof.

Also:

H. 1454. To add to the land limits of the City of Vestavia Hills in Jefferson County, Alabama, by removing certain area now part of the unincorporated area of Jefferson County, Alabama, and adding same to the land limits of the City of Vestavia Hills, and to describe the area so removed from the unincorporated area of Jefferson County, Alabama, and so added to the City of Vestavia Hills.

Also:

H. 1914. To create a county planning commission in every county in this state which has a population of not less than 27,900 nor more than 33,500, according to the most recent federal decennial census; to provide for the organization, membership, powers, personnel, jurisdiction, and financial and legal status of such commission; to authorize the commission to make subdivision regulations, a master plan, and to adopt zoning regulations for the development of the county; to provide for an election in each beat prior to the application of such authority of the commission in each beat; to grant the commission power to zone certain areas within the county and provide a procedure for the amendment of zoning regulations; to prohibit zoning regulations from being retroactive; to provide remedies for the enforcement of the provisions of this act; and to provide exceptions to such zoning regulations and for appeals from the decisions of the commission.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

## SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE  
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1046. To prohibit the unauthorized copying of certain recorded articles for sale and the sale of such articles with knowledge that the sounds have been transferred thereon without the consent of the owner and providing punishment therefor.

Also:

H. 860. Relating to the Sixteenth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

H. 291. Relating to taxation; amending Section 613, Title 51, Code of Alabama (1940), as last amended, which relates to the licensing of vending machines.

Also:

H. 451. To amend Section 584 of Title 7, Code of Alabama 1940, relating to the registration of judgments and decrees, so as to require the address of each defendant or respondent as shown in the court proceedings to appear on the certificate of registration.

Also:

H. 222. To provide that the boards of Alabama Institute for Deaf and Blind, Alabama Boys Industrial School, Alabama Girls Industrial School, and the Industrial School at Mt. Meigs shall grant personal leave to teachers.

Also:

H. 843. To establish an Alabama Women's Hall of Fame; to prescribe its purposes and membership; to provide for election of members and officers and for the holding of meetings; and to appropriate funds for the use of the Board in carrying out its purposes.

Also:

H. 1208. Relating to individual income taxation; providing further for deductions from gross income for state income tax purposes.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

## SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum



present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Kinsey, the rules were suspended in order to bring up out of order the bill, S. 170.

And the bill:

S. 170. To amend Section 30, Title 55, Code of Alabama 1940, which sets forth the duties and powers of the State Fire Marshal by granting to the Fire Marshal, and his deputies, full powers of peace officers.

Was read a third time at length and passed.

Yeas 46; Nays 11.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Crawford, Falkenburg, Gafford, Goodwin, Hines, Holley, Jackson (F), Johnstone, Jolly, Kinsey, Lewis, Lockett, McMillan, McNees, Malone, Martin, Mitchem, Moore (O), Naramore, Pegues, Quarles, Rich, Roberts, Sasser, Smith (B), Starkey, Taylor, Trammell, Waggoner, Warren, Weeks, White, Williams and Wyatt.

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Nays:

Messrs.: Barron, Folmar, Hall, Jackson (R), Lutz, McNair, Plaster, Reed, Sonnier, Turnham and Venable.

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RULES CHANGE

Having previously filed a Motion in Writing, Mr. Gafford moved to consider the following Rules Change.

RESOLUTION

The following resolution was introduced:

By Mr. Gafford:

H. R. 429. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That no House Resolution or House Joint Resolution of congratulation, commendation or sympathy can be adopted except in the event of death or in the event that the person honored has accomplished something that is extraordinary and unusual.

On motion of Mr. Gafford, the resolution, H. R. 429, was adopted.

Yeas 35; Nays 13.

Yeas:

Mr. Speaker, Albright, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Falkenburg, Gafford, Goodwin, Jackson (F), Johnstone, Jolly, Kinsey, Lewis, Lockett, McMillan, McNees, Martin, Mitchem, Moore (O), Owens, Plaster, Reed, Roberts, Sasser, Starkey, Trammell, Waggoner, Warren, Weeks and Williams.

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Nays:

Messrs.: Boles, Crawford, Folmar, Holley, Jackson (R), Leonard, Lutz, McNair, Malone, Naramore, Pegues, Venable and Wyatt.

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## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Also:

By Mr. Gafford:

H. J. R. 430. CREATING AN INTERIM COMMITTEE TO STUDY THE TAX STRUCTURE OF THE STATE OF ALABAMA AND THE DISTRIBUTION OF TAX REVENUES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to study the tax structure of the State of Alabama and the distribution of tax revenues. Such committee shall be composed of seven members of the House of Representatives including the Chairman of the Ways and Means Committee. The Speaker of the House, who shall also be a member of the study Committee, shall appoint the five remaining members of the House of Representatives. The interim study committee shall be composed of six members of the Senate including the Chairman of the Finance and Taxation Committee. The President of the Senate, who shall also be a member of the study committee, shall appoint the four remaining members of the Senate. The chairman of the committee shall be chosen by the members. Should the Speaker of the House or the President of the Senate not choose to serve as an ex officio member of the committee, they may designate someone in their respective legislative body to serve in their stead.

It shall be the duty of the committee to study particularly the existing provisions of the Code of Alabama respecting the tax structure of the state and the disbursement of the revenue derived from such taxes; and to make recommendations for adequate legislation to sufficiently finance state agencies and existing programs from tax revenues. The study committee shall work with the Governor's Office, the Legislative Fiscal Officer and his staff, and with all department heads who shall cooperate with the committee.

The study committee shall have authority to employ secretarial assistance and research assistance. The members of the committee shall receive the same pay, per diem and travel expenses that is received when the legislature is in session. The committee shall report their findings, recommendations, and suggested legislation to the legislature by the tenth legislative day of the 1976 Regular Session. The study committee shall be funded from monies appropriated to the use of the legislature for such purposes.

The motion offered by Mr. Gafford to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 430, was lost, lacking a four-fifths vote.

Yeas 36; Nays 26.

Yeas:

Mr. Speaker, Armstrong, Barron, Biddle, Callahan, Carter, Crowe, Dial, Drake, Falkenburg, Ford, Gafford, Glass, Harris, Jackson (F), Jackson (R), Killian, Kinsey, McCulley, McMillan, McNees, Moore (O), Quarles, Rich, Roberts, Sasser, Shelton, Smith (B), Sonnier, Taylor, Turnham, Waggoner, Whatley, White, Williams and Wyatt.

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*Nays:*

Messrs.: Boles, Brindley, Campbell, Carothers, Cates, Cooper, Folmar, Hall, Harrison, Johnson, Johnstone, Lee, LeFlore, Leonard, Lewis, Lockett, McNair, Malone, Naramore, Pegues, Plaster, Smith (C), Sparks, Venable, Warren and Weeks.

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And the resolution, H. J. R. 430, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Hines:

H. J. R. 431. WHEREAS, the prison system of the State of Alabama has recently come under harsh criticism for failure to provide adequate medical care for inmates, and,

WHEREAS, the State of Alabama is seeking to determine ways to improve the delivery of medical care in prisons, and,

WHEREAS, the Law Enforcement Assistance Administration, (LEAA) has given the American Medical Association a grant to develop a pilot program in six selected states for the delivery and improvement of crucially needed medical care and health services in prisons, and,

WHEREAS, these funds will be available to each participating state medical society to cover expenses for the first year of the program, now therefore be it,

RESOLVED, BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Legislature of the State of Alabama endorses and supports the application of the Medical Association of the State of Alabama to be considered as one of the six states to conduct a pilot program in the American Medical Association Program to Improve Medical Care and Health Services in Jails.

On motion of Mr. Hines, the rules were suspended and the resolution, H. J. R. 431, was adopted.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Mr. Kinsey as co-sponsor to the resolution, H. J. R. 431.

BILLS ON THIRD READING RESUMED

And the bill:

S. 654. To establish and provide for a Schedule of Compensation for Deputy District Attorneys of the Sixth Judicial Circuit.

Was taken up.

Mr. Howard offered the following substitute to the bill:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for supernumerary clerks of the circuit courts in the Sixth Judicial Circuit of the state, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and

tenure of office and providing for the payment out of the county treasury of their salaries.

Be It Enacted by the Legislature of Alabama:

Section 1. Any clerk of any circuit court in the Sixth Judicial Circuit of the State of Alabama, who has served for twenty-five years or more as an employee of the county, including seven years as circuit clerk of such county, who is not less than sixty years of age, may elect to become a supernumerary clerk of the circuit court of the county by filing a written declaration to that effect with the presiding judge of the circuit court of such circuit at least thirty days prior to the time he desires to become a supernumerary clerk. If such presiding judge shall find that the applicant is qualified as hereinabove set forth a commission as supernumerary clerk of the circuit court for such county shall thereupon be issued to the applicant by the appointing authority. The provisions of this act shall apply only to those persons who are in office at the time of the passage of this act or who may thereafter become eligible under its provisions.

Section 2. The supernumerary clerk shall take the oath of office prescribed for clerks of the circuit court in this state and if a vacancy shall occur in the office of circuit clerk of the county, the appointing authority shall immediately appoint one such supernumerary from the county, if the appointing authority determines that there is one or more such supernumerary in the county suitably qualified, and such supernumerary circuit clerk so appointed shall immediately assume and exercise all the duties, powers and authority of the circuit clerk in said county until the permanent successor to such circuit clerk is appointed or otherwise selected. All fees and commissions which may become due while such supernumerary is so acting shall be paid into the county general fund and the salaries of the employees of such office shall be paid by the county governing body during such period.

Section 3. Each such supernumerary circuit clerk shall serve for life and shall receive in equal monthly installments of \$600.00 each on the first of each month an annual salary of \$7,200.00, payable from the general fund of the county.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carter, Cates, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Harris, Higginbotham, Hines, Howard, Jackson (R), Johnson, Johnstone, Kelley, Killian, Lee, LeFlore, Lewis, Lockett, Lutz, Martin, Mitchem, Naramore, Pegues, Plaster, Quarles, Rich, Roberts, Robertson, Sasser, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

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And the bill, S. 654 as thus amended, was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carter, Cates, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Harris, Higginbotham, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, LeFlore, Lewis, Lockett, Lutz, McCulley, McNair, McNees, Martin, Mitchem, Naramore, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sasser, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Trammell, Tucker, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

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And the bill:

S. 742. To amend Section 1 of Act No. 178, H. 94, Special Session 1969 (Acts 1969, p. 244), which provides for the compensation of jurors in Tuscaloosa County.

Was read a third time at length and passed.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Barron, Biddle, Brindley, Callahan, Campbell, Carter, Cates, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Hall, Harris, Higginbotham, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, LeFlore, Lewis, Lockett, Lutz, McCulley, McNees, Malone, Martin, Mitchem, Naramore, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sasser, Smith (B), Sonnier, Sparks, Starkey, Trammell, Tucker, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

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RESOLUTION

The following resolution was introduced:

By Mr. Boles:

H. R. 432. A HOUSE INTERIM COMMITTEE TO STUDY FUNDING OF CERTAIN STATE AGENCIES. ,

WHEREAS, the legislative body will commence meeting on an annual basis, and,

WHEREAS, the appropriations for the General Fund and Special Educational Trust Fund are major tasks and responsibilities of the legislature, and,

WHEREAS, an abundance of data and information organized in a manner so that legislators can interpret it is badly needed by the legislative body in order to make sound decisions, and,

WHEREAS, the present Legislature will again face the current fiscal problems next year, and,

WHEREAS, the following statements and requests have been made concerning the current budget:

The highway director stated that if he did not receive 35 million dollars in new money from a new source he would have to dismiss 3200 employees. This department should be investigated and on-site evaluation made by the Legislature to determine if highway funds are wisely spent.

The mental health department has been allocated 19 million dollars that should be related to educational expenditures. This department should be investigated by the Legislature to determine to what degree these monies are spent for services related to education, the number of employees in each area of mental health, how many patients are within each area, the cost per patient per year, and to what extent the department has met the court order.

An appropriation was made for the Theodore Ship Channel. The legislature should investigate whether this is a state or county function. If it is a state function, could it be financed through the state docks bonds recently authorized by a vote of the people?

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**, that a House Committee consisting of 5 members of the House appointed by the Speaker of the House to research, investigate and then to collect and compile data on these three agencies and furnish to the House a written report of their findings and recommendations by the second legislative day of the next regular legislative session.

**BE IT FURTHER RESOLVED**, that the committee will be paid per diem salary and expenses as in a session of the legislature. The Legislative Fiscal Office shall furnish assistance as requested by the Committee. The Clerk of the House is directed to furnish clerical assistance as requested by the Committee. The funds shall be paid from the regular Legislative Appropriation as provided in Title 32, Section 13, Code of Alabama, 1940, as recompiled, 1958.

#### MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Boles to suspend the rules in order to take up for immediate consideration, the resolution, H. R. 432, was lost.

And the resolution, H. R. 432, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 424. Mourning the death of Reginald Wilton Lawley.

Also:

H. J. R. 426. Naming Senate Bill 576 the "Littleton-Smith Bill".

Also:

H. J. R. 425. Mourning the death of George Albert Crawford, brother of Representative Buddy Crawford.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 405. To amend Section 367 of Title 52 Code of Alabama of 1940, as amended, which relates to the administration of the Teachers' Retirement System of Alabama; to provide that the election of certain trustees to the Board of Control of the Teachers' Retirement System be accomplished by an annual statewide election, conducted under the rules, regulations and supervision of said Board of Control; to provide that each member of the Retirement System shall be eligible to vote for each position subject to election; and to provide for the admissibility of micro-filmed records.

Also:

H. 1623. To amend Section 2 of Act No. 1218, H. 342, Regular Session of 1973 (Acts 1973, p. 2065), which relates to appropriations for the renovation, repair, refurbishing, and refurnishing of certain state buildings so as to remove the line item conditional appropriations and appropriate the sum of Two Million Dollars.

Also:

H. 816. To name a certain building at Snead State Junior College.

Also:

H. 316. To amend Act No. 246, Page 203, Acts of 1943, Which relates to the investment of funds of counties, cities and towns so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States may be appointed as a depository of municipal or county funds.

Also:

H. 318. To further amend Section 4, Title 12, Code of Alabama 1940, as amended, so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository for county funds.

Also:

H. 948. To further amend the Code of Alabama 1940, Title 5, Section 81, which relates to legally required reserves of banks within the state, so as to add penalties for the violation thereof.

Also:

H. 949. To authorize the Superintendent of Banks to expand the banking powers of Alabama banks or the powers of Alabama savings and loan associations or the powers of Alabama credit unions; to provide that any such additional powers shall not in the case of banks authorize activities which are not properly incident to the business of banking, and in the case of savings and loan associations or credit unions that such additional powers shall not authorize them to offer financial services now prohibited to them; to provide that no bank, savings and loan association and no credit union having their principal place of business outside of Alabama may engage in any such activities in Alabama unless the Superintendent of Banks and the appropriate regulatory authority outside of Alabama have entered agreements authorizing Alabama and non-Alabama institutions to exercise in Alabama and in such other

jurisdiction reciprocal rights; to authorize the Superintendent of Banks to issue appropriate regulations; and to require Alabama banks, Alabama savings and loan associations, Alabama credit unions and any similar foreign entity to secure prior written permission of the Superintendent of Banks before exercising such additional powers in Alabama; to provide that the provisions of this Act are cumulative and severable; and to provide for an effective date.

Also:

H. 747. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding \$3,000,000.00 for the purpose of providing and equipping permanent housing facilities for the display of certain exhibits.

Also:

H. 748. To provide facilities in Talladega County for displaying certain antique automobiles, artifacts relating to the history of the automobile and historical displays relating to the automobile racing industry; creating the Motor Sports Hall of Fame Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Also:

H. 1195. To exempt gas districts now or hereafter organized under the provisions of Act No. 762 adopted at the 1951 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1370. To exempt warrants issued by a county under the provisions of Act No. 1092 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying the cost of reappraisal of property as required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature of Alabama from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1371. To exempt warrants issued by a county under the provisions of Act No. 220 adopted at the 1967 Regular Session of the Legislature of Alabama in anticipation of and payable solely out of that portion of the highway gasoline tax required by law to be distributed to counties which are subject to the provisions of such Act from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1372. To exempt warrants issued by a county under the provisions of Act No. 1128 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying costs of acquiring and pro-



viding water works systems from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1374. To exempt securities issued by any county payable from or secured by a pledge of any part of the tax proceeds of the special tax authorized to be levied under the second provision of Section 215 of the Constitution of Alabama of 1901, as amended by Amendment CCVIII, and Title 12, Sections 185, 186 and 191 of the Code of Alabama of 1940, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

McDOWELL LEE,  
Secretary.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Dial, the rules were suspended in order to bring up out of order the bill, S. 1104.

And the bill:

S. 1104. To further provide for the education and training of deaf, blind and certain other persons and to further define the authority of the board of trustees of the Alabama Institute for Deaf and Blind.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carter, Cates, Coburn, Cooper, Drake, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Hall, Harris, Higginbotham, Hines, Holley, Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Mitchem, Moore (W), Morris, Naramore, Pegues, Plaster, Porter, Quarles, Rich, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

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#### REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, H. J. R. 421, and ordered same returned to the House with a favorable report, with amendment:

Creating an interim committee to study the formulae for the distribution of funds to the state universities, junior colleges and trade schools.

Said amendment being as follows:

Amend H. J. R. 421 on page 2, line 7 by inserting a period after the word "power" and deleting the completion of the sentence.

On motion of Mr. Holley, the amendment was adopted.

## RESOLUTION TEMPORARILY CARRIED OVER

On motion of Mr. Armstrong, the resolution, H. J. R. 421 as amended, was temporarily carried over.

## REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, H. J. R. 402, and ordered same returned to the House with a favorable report:

Naming the portion of Highway 43 within the city limits of Chickasaw, Alabama, "Perloff Boulevard".

On motion of Mr. Drake, the resolution, H. J. R. 402, was adopted.

## REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, H. J. R. 353, and ordered same returned to the House with a favorable report:

Naming Alabama Highway 180 that runs from the intersection of Highway 59 through the western-most point of Baldwin County the Fort Morgan Parkway.

On motion of Mr. Drake, the resolution, H. J. R. 353, was adopted.

## REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, H. J. R. 392, and ordered same returned to the House with a favorable report:

Creating a joint supernumerary study committee.

On motion of Mr. Drake, the resolution, H. J. R. 392, was adopted.

## REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, S. J. R. 148, and ordered same returned to the House with a favorable report:

Naming the H. B. 1601 which recently passed the legislature "The Summerville-Wagnon Extension Retirement Act of 1975."

On motion of Mr. Drake, the resolution, S. J. R. 148, was adopted.

## REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, S. J. R. 153, and ordered same returned to the House with a favorable report:

Naming Alabama Highway 18 between Berry and Fayette The D. C. "Deacon" Grey Memorial Highway.

On motion of Mr. McNees, the resolution, S. J. R. 153, was adopted.

## REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, S. J. R. 152, and ordered same returned to the House with a favorable report:

Naming Butler County Road 5 The "Hand Williams Memorial Drive."

On motion of Mr. Drake, the resolution, S. J. R. 152, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, S. J. R. 150, and ordered same returned to the House with a favorable report:

Commending Senator Sparkman, Senator Allen, Representative Jones and Representative Bevill for their action in the interest of the public of this state concerned by the bill to create a United States District Court for the Tennessee Valley District of Alabama.

On motion of Mr. Drake, the resolution, S. J. R. 150, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, S. J. R. 106, and ordered same returned to the House with a favorable report:

Designating the Racking Horse as the Official State Horse.

On motion of Mr. Drake, the resolution, S. J. R. 106, was adopted.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 433. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business on the 36th Legislative Day, taking precedence over any other business of the House.

The following Bills:

Senate Bills	Page	Title
400	43	Judicial Article
901	35	Circuit Judges
409	50	Circuit Judges
1070	42	Circuit Judges
1036	35	Circuit Judges
278	33	Circuit Judges
354	7	Handicapped
308	2	Conservation
102	2	Conservation
306	2	Conservation
307	3	Conservation
315	4	Conservation
322	4	Conservation
92	38	Southern Growth Policies
616	7	Legislative Sessions
925	13	Water Works
635	20	County Debt Limit
704	32	District Attorneys
992	39	Sod Farmers

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86	40	State Superintendent of Education
525	49	Unearmarked Funds
712	20	Corporate Dissolution
845	13	Gas Systems
696	10	Mental Health
762	13	Mental Health
698	11	Mental Health
1104	42	Deaf & Blind
659	38	Tax Exemption Application
1060	51	Scholarships
782	51	Tennehill Furnace
660	7	Veterinary Medicine
473	11	Dentists
138	18	Church Bus
670	6	Legislative Confirmation
668	15	Fraudulent use of Credit Cards
688	39	Criminal Justice Advisory
300	36	Utility Tax on Schools
301	37	Utility Tax on Schools
1097	33	Hospital Bonds
1126	52	Legislative Council
772	37	Hemophilia
161	12	County Commission
576	41	Confederate Cemetery
254	40	Auto License
683	36	Constitution Commission
124	3	Law Enforcement Officers
180	5	Sample Ballots
687	5	Pardons & Paroles
295	6	Richmond Pearson Hobson Memoral Home
487	6	Claims Against An Estate
557	8	Highway Safety
553	8	Highway Safety
542	8	Highway Safety
775	11	Professional Corporations
382	12	Mental Health Board
768	12	Cotton Buyers
106	15	Good Samaritan
130	16	Appointment of Trustees
131	16	Testamentary Gifts
170	16	State Fire Marshall
657	16	Insurance Coverage
97	17	Motor Vehicle Inspection

On motion of Mr. Drake, the rules were suspended and the resolution, H. R. 433, was adopted.

REPORT OF THE STANDING COMMITTEE  
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 80. To provide facilities for displaying certain aviation and other exhibits in cooperation with the Department of the Army; creating the Alabama Aviation Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Also:

H. 39. To change the name of the "Director" of the Department of Labor to the "Commissioner" of the Department of Labor.

Also:

H. 640. To exempt from the sales tax levied by Act 100, Second Special Session, Legislature of Alabama 1959, sales of sod by a farmer.

Also:

H. 788. To further amend and reenact the Title and Act of Act No. 563, S. 8, Acts of Alabama 1965, Regular Session, at pages 1049-1050, as amended by Act No. 725, S. 82, Acts of Alabama 1967, Regular Session, at pages 1560-1561, relating to the reporting of incidents of abuse or neglect of children: by adding a new section 1, which gives definitions of "abuse", "neglect," "child" (meaning a person under the age of eighteen years), and "duly constituted authority"; by adding a new section 2, which gives the purpose of the Act; by amending section 1 to be section 3, to include further categories of persons who are required to report child abuse or neglect and to provide for reporting to a "duly constituted authority"; by adding a new section 4, which allows for permissive reporting of child abuse or neglect; by amending section 2 to be section 5; by adding a new section 6, which provides for protective custody of abused or neglected children; by adding a new section 7, which gives the duties of the department of pensions and security upon a receipt of a report of child abuse or neglect; by adding a new section 8 which provides for the establishment of a central registry of reports of child abuse and neglect and also provides for the confidentiality of such reports and records, with a violation of this provision of confidentiality being a misdemeanor and punishable accordingly; by amending section 3 to be section 9; by amending section 4 to be section 10 and by excepting the attorney client privilege from the provision whereby the doctrine of privileged communication is not grounds for excluding evidence in judicial proceedings resulting from reports of child abuse or neglect; by adding a new section 11, which provides that in every case involving an abused or neglected child which results in a judicial proceeding, an attorney will be appointed to represent the child; by adding a new section 12 which provides that the department of pensions and security may make regulations as may be necessary to implement this Act; by amending sections 5, 6, 7 and 8 to be sections 13, 14, 15, and 16 respectively; and by making further changes.

Also:

H. 88. To amend Sections 1, 6 & 9 of Act No. 217, Senate 23, page 259, Volume 1, Acts of Alabama 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding and the expenditure of public funds; to authorize cooperative purchasing among local purchasing agencies.

Also:

H. 119. To amend Code of Alabama 1940, Title 8, Sections 92 and 93 relative to maximum penalties for hunting on the property of another without permission.

Also:

H. 463. To amend Sections 10 and 15 of Act No. 784, H. 316, Regular Session 1953 (Acts 1953, p. 1069) regulating the use of commercial fishing gear in the public fresh waters of this state so as to increase the penalties for the violation of this act.

Also:

H. 1628. To amend Section 4 of Act No. 712, H. 48, Acts of Alabama 1951 (Acts 1951, Vol. II, p. 1250) relating to tourist advertising, to permit the purchase of intrastate advertising of state-owned parks by bureau of publicity and information.

Also:

H. 1669. To authorize the state of Alabama, acting through its agency, the Alabama state docks department, with the consent of the governor, to enter into contracts and agreements with the United States of America or any of its agencies for the purpose of acquiring from the United States of America, or any of its agencies, funds and facilities for public use in connection with waterways and navigation for which said funds are obtained and to comply with the provisions of Public Law No. 91-646 known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 in connection with such public projects for which Federal funds are available and used.

Also:

H. 1946. To name the state grain elevator at Phenix City, Alabama, the W. O. "Bill" Patterson Grain Elevator.

Also:

H. 81. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding (\$2,000,000.00) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of the Army.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### H. J. R. 421 AGAIN TAKEN UP

The resolution, H. J. R. 421 as previously amended, was again taken up.

Mr. Holley offered the following substitute to the resolution, H. J. R. 421 as amended:

Creating an interim committee to study the formulae for the distribution of funds to the state universities, junior colleges and trade schools.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint

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interim committee to study the distribution of funds to the state universities, junior colleges and trade schools and related matters pertaining thereto. Such committee shall be composed of three members of the House of Representatives, to be appointed by the Speaker of the House and three members of the Senate, to be appointed by the President of the Senate. The committee shall meet as soon as practicable after the approval date of this resolution and select a chairman from among its members. It shall meet at such subsequent time or times upon the call of the chairman. The committee shall be limited to 15 meeting days and shall make a report of its findings to the legislature on the first day of the 1976 Regular Session and dissolve forthwith. On days when the committee meets the compensation, travel expenses and per diem paid each member shall be the same as is currently paid for sessions of the legislature which shall be paid out of any funds appropriated to the use of the legislature on warrants draws on the state comptroller upon requisition signed by the committee's chairman.

It shall be the duty of the committee to study the existing provisions and formulae for the distribution of funds to the state universities, junior colleges, and trade schools, to ascertain the correctness of the head count and fulltime equivalency of both day and night students that said institutions submit for determining the distribution of funds.

The committee shall have authority to pursue any information from state institutions. The committee shall have subpoena power.

And the substitute was adopted.

Mr. Reed offered the following amendment to the resolution, H. J. R. 421 as amended.

Amend H. J. R. 421 on line 18 by deleting the word and inserting in lieu thereof the word "five".

And the amendment was adopted.

And the resolution, H. J. R. 421 as thus amended, was adopted.

**BILLS INDEFINITELY POSTPONED**

On motion of Mr. Greer, all bills on the Calendar from S. 805 through S. 815, including the bills S. 806, S. 807, S. 808, S. 810, S. 811, S. 812, S. 813 and S. 814, were indefinitely postponed.

**BILLS ON THIRD READING RESUMED**

And the bill:

S. 851. Relating to Hale County; regulating and providing for the payment of compensation of election officers.

Was read a third time at length and passed.

Yeas 54; Nays 1.

Yeas:

Mr. Speaker, Albright, Baker, Brindley, Callahan, Campbell, Carter, Clark, Coburn, Cooper, Folmar, Gafford, Glass, Goodwin, Greer, Harris, Higginbotham, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lewis, Lockett, Lutz, McCulley, McMillan, McNees, Malone, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster,

Reed, Rich, Roberts, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Trammell, Turnham, Waggoner, Warren, Whatley, White and Wyatt.

—54

*Nay:* Mr. Sandusky.

—1

And the bill:

S. 852. Relating to Hale County; to provide that the county commission pay such a supplement to the pay of jurors so as to make their total pay \$20 per day.

Was read a third time at length and passed.

Yeas 60; Nays 1.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Edwards, Folmar, Gafford, Glass, Goodwin, Greer, Harris, Higginbotham, Holley, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, McCulley, McMillan, McNees, Malone, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Plaster, Quarles, Rich, Roberts, Sandusky, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Trammell, Tucker, Turnham, Waggoner, Warren, Whatley, White and Wyatt.

—60

*Nay:* Mr. Lutz.

—1

And the bill:

S. 866. Relating to Hale County; providing for an expense allowance, in lieu of all other expense allowances, for the members of the county governing body for their remaining terms of office and providing for a salary for each such person, in lieu of all other compensation, to take effect upon the expiration of the current terms of office.

Was read a third time at length and passed.

Yeas 63; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Drake, Edwards, Folmar, Gafford, Glass, Goodwin, Greer, Harris, Holley, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Plaster, Quarles, Rich, Roberts, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Trammell, Tucker, Turnham, Waggoner, Warren, White and Wyatt.

—63

And the bill:

S. 1071. Relating to Washington County; providing for the election of the county commission by the county at large; and providing for the residence of the commissioners from districts defined herein.

Was read a third time at length and passed.



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Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Dial, Drake, Edwards, Folmar, Gafford, Glass, Goodwin, Greer, Harris, Hill, Holley, Holmes, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Quarles, Rich, Roberts, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Trammell, Tucker, Turnham, Waggoner, Warren, White, Williams and Wyatt.

—69

And the bill:

S. 1113. To provide for branch banking in Winston County.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill:

S. 1241. To repeal Act No. 208, H. 130, Third Special Session of 1975, approved May 5, 1975, entitled "To apply only in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; to better secure the administration of the financial affairs of such counties by vesting in the chairman and members of the county commission a direct and effective financial supervision over all county offices, departments, boards and agencies; to provide for the annual initiation and preparation of a balanced budget of all revenue and expenditures for the County General Fund, Road and Bridge Fund, Gasoline Fund, Public Highway and Traffic Fund, and other funds, including a tentative budget and hearings on the same before adoption of a final budget; to prohibit expenditures in excess of budgeted amounts, and to provide personal civil liability for any department head or other official in charge who violates such prohibition; to provide for proration to prevent an overdraft or deficit; to provide for lapsing of sums budgeted but not expended; to provide that the county commission shall have authority to hire a central purchasing agent in order to make possible the most efficient and economical means of expending county funds; to regulate the office of central purchasing agent and to provide penalties for violations to set the effective date of this act and to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill:

S. 1258. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill:

S. 1260. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar,

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Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill:

S. 1179. To provide for Supernumerary-Retired Probate Judges in all counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census; to prescribe the qualifications, term, duties, powers, authority, compensation and benefits of such supernumeraries; to provide for a Probate Judges Retirement Fund in such counties; to regulate the administration and supervision of said Fund and to repeal all conflicting statutes.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill:

S. 571. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky,

Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill:

S. 1174. To amend Section 3 of Act No. 1945, Regular Session of the 1971 Alabama Legislature to provide that in all counties having populations of not less than 300,000 nor more than 600,000 inhabitants according to the most recent or any subsequent federal decennial census, the county engineer needs not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of said county engineer's salary.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill:

S. 480. To prohibit the operation of a motor or motorized vehicle upon coastal beaches or sand dunes of any island located within a county having a population of not less than 300,000 nor more than 600,000.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill:

S. 478. To amend the title and Section 18 of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 et. seq.) as amended, which

relates to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census: to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon etc. so as to provide further for the distribution of license fees, taxes, commissions, and other monies received under the provisions of this Act, and to create a board for the purpose of distributing a portion of such monies.

Was taken up.

Mr. Callahan offered the following amendment to the bill:

Amend Section 2 of Senate Bill 478 by deleting the word "Mobile" from the last sentence of Section 18(a).

And the amendment was adopted.

Yeas 83; Nays 4.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—83

Nays: Messrs.: Sparks, Naramore, Drake and Crowe.

—4

And the bill, S. 478 as amended, was read a third time at length and passed.

Yeas 82; Nays 5.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—82

Nays: Messrs.: Sparks, Drake, Naramore, Crowe and Moore (W).

—5

And the bill:

S. 481. (With Amendment): To amend Act No. 2441, of the 1971 Legislature (Acts, 1971, page 3903), entitled "An Act to provide that the governing body of any municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may appoint the chief of police of such a municipi-

pality in event of a vacancy, from the number of officers of the police force who hold the rank of captain or above, without regard to any Civil Service or Personnel Board rules or regulations concerning such appointment and providing that such Personnel Board may fix the compensation of said chief of police, and his status in any Civil Service System in such municipality."

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said committee amendment being as follows:

Amend Senate Bill 481 by deleting Section 4 in its entirety and inserting therefor the following:

Section 4. The provisions of this act shall be retroactive to January 1, 1975.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill, S. 481 as thus amended, was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

#### S. 1254 INDEFINITELY POSTPONED

On motion of Mr. McCulley, the bill, S. 1254, was indefinitely postponed.

And the bill:

S. 769. To amend Act No. 1178 of the 1973 Regular Session of the Legislature of the State of Alabama, which act established a court to be called the General Sessions Court of Madison County, so as to add thereto Section 18, so as to establish a Small Claims Division of said General Sessions Court of Madison County; to set the jurisdictional amount for claims to be processed through said Small Claims Division; to provide for the issuance of summons and complaints from said division; to provide for services of processes for claims handled through said division; to provide for filing fees and court costs for claims filed through said division; to provide for procedures, forms, and assistance to plaintiffs in the preparation of claims; to provide for the Clerk of said Court to have authority to enter judgments by default; and to provide for the employment of additional clerks and facilities to assist the General Sessions Court in the implementation of this act.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNeese, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill:

S. 952. (With Substitute): To repeal Act No. 796, H. 1033, Regular Session 1971 (Acts 1971, p. 1530) and to repeal Act No. 144, H. 130, First Special Session 1971 (Acts 1971, p. 228), both Acts entitled, "An Act Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of Education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities."

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 4, said committee substitute being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Act No. 796, H. 1033, Regular Session 1971 (Acts 1971, p. 1530) entitled, "An Act Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe

their terms, qualifications and compensation, and to abolish existing boards of education in such cities."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 (f) of Act No. 796, H. 1033, Regular Session 1971 (Acts 1971, p. 1530) is hereby amended to read as follows:

(f) Members of any boards of education elected hereunder shall take office on the first Monday in October in the year of their election.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill, S. 952 as thus amended, was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

And the bill:

S. 278. Relating to the 38th Judicial Circuit; to provide for additional Circuit Judge in such Circuit: defining his jurisdiction, powers, right and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

Was read a third time at length and passed.



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Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—87

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Johnson, the rules were suspended in order to bring up out of order the bill, S. 1097.

And the bill:

S. 1097. (With Substitute): To amend Sections 6, 15, 16, 17 and 18 of Act No. 183 enacted at the 1975 Third Special Session of the Legislature of Alabama so as to make different provision for the first term of office of any directors of any hospital authority organized under said Act who are elected by the Central Labor Council; so as to delete the reference in said Act to the University of Alabama; so as to prohibit any employee of any such hospital authority or any hospital or other institution operated by it and any employee of certain other hospital or health care institutions from being a director of any such hospital authority; so as to provide, with respect to governmental immunity, that such hospital authorities may be sued in civil actions ex delicto to the same extent as county hospital boards organized under Act No. 46 (1949 Regular Session), as amended; so as to revise the provisions of said Act relating to the applicability of the rules and regulations of the State Ethics Commission and to provide that the provisions of Act No. 130 (1975 Regular Session) shall apply to the members of the Board of Directors of any such hospital authority to the same extent as to the boards or other similar governing bodies of similar local agencies whose members are elected or appointed by county or municipal governing bodies rather than by the electorate; so as to delete the requirement that all purchases, sales and contracts of such hospital authorities be administered in full compliance with Chapters 22 to 24, inclusive of Title 55 of the Code of Alabama of 1940, and to provide, in lieu thereof, that the provisions of Act No. 217 (1967 Regular Session), as amended, shall apply to such hospital authorities to the same extent as to other local governmental agencies specifically mentioned therein and that the provisions of Act No. 314 (1969 Regular Session) relating to insurance on public building contracts or public construction contracts shall be applicable to all such hospital authorities; and so as to revise the provisions of said Act requiring the publication of annual financial statements.

Was taken up.

Mr. Lee offered the following substitute to the substitute reported by the Standing Committee on Ways and Means to the bill:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 6, 15, 16, 17, 18 and 20 of Act No. 183 enacted at the 1975 Third Special Session of the Legislature of Alabama so as to make different provision for the first term of office of any directors of any hospital authority organized under said Act who are elected by the Central Labor Council; so as to delete the reference in said Act to the University of Alabama; so as to prohibit (with certain exceptions) any employee of any such hospital authority or any hospital or other institution operated by it and any employee of certain other hospital or health care institutions from being a director of any such hospital authority; so as to prohibit any member of the governing board of any state, county or municipal authority or agency who was elected as such by the electorate from being a director of any such hospital authority; so as to provide that no such hospital authority shall have governmental sovereignty or immunity; so as to revise the provisions of said Act relating to the applicability of the rules and regulations of the State Ethics Commission and to provide that the provisions of Act No. 130 (1975 Regular Session) shall apply to the members of the Board of Directors of any such hospital authority; and to the administrator and the purchasing agent of such hospital; so as to delete the requirement that all purchases, sales and contracts of such hospital authorities be administered in full compliance with Chapters 22 to 24, inclusive, of Title 55 of the Code of Alabama of 1940, and to provide, in lieu thereof, that the competitive bid provisions of Act No. 217 (1967 Regular Session), as amended, shall apply to such hospital authorities to the same extent as to other local governmental agencies specifically mentioned therein and that the provisions of Act No. 314 (1969 Regular Session) and relating to insurance on public building contracts or public construction contracts shall be applicable to all such hospital authorities; and so as to revise the provisions of said Act requiring the publication of annual financial statements.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 6 of Act No. 183 enacted at the 1975 Third Special Session of the Legislature of Alabama shall be and hereby is amended to read as follows:

"Section 6. Board of Directors. The corporation shall have a board of directors in which all powers of the corporation shall be vested. The board of directors shall consist of (a) two persons elected by the governing body of the county, (b) two persons elected by the governing body of the largest of the member municipalities (according to the Federal Decennial Census next preceding the date of the filing of the certificate of incorporation of the corporation for record), (c) one person elected by the governing body of each of the other member municipalities, (d) two persons [each of whom shall be, at the time of his appointment, a physician licensed to practice the profession of medicine in the county, resident in the county and engaged in the full-time private practice of medicine] elected at a mass meeting of the licensed physicians resident in the county, (e) two persons elected or appointed by a majority vote of all the active circuit judges of the judicial circuit in which the county is located (or, in the event that there is at the time only one active circuit judge in said circuit, by such judge) and whose names shall be certified to the corporation by instrument in writing signed by the presiding judge of such circuit (and of those initially so elected and appointed by said circuit judge or judges, one shall be designated an "A" director and the other a "B" director), and (f) two persons elected

by the Central Labor Council in any county where there is a Central Labor Council located. Each member of the board of directors must be a duly qualified elector of the county.

The chief executive officer of the county shall, promptly after the certificate of incorporation of the corporation has been filed for record, as well as within a reasonable time prior to the expiration of the term of office of any director elected at a mass meeting of the physicians in the county and as promptly as practicable after the death, resignation or other vacation of office of any such director, cause to be published one time in a newspaper published in the county a notice of call of a meeting of all the licensed physicians resident in the county, for the purpose of electing one or more directors (as appropriate), and shall specify in such notice the place thereof (which shall be a public place located in the county) and the time thereof (which shall be not less than ten days after the date of such publication). The chief executive officer of the county, or his designee, shall preside (but shall have no vote) at each such meeting and shall thereafter issue to the corporation a certificate in writing showing the name or names of the director or directors elected thereat. Such election shall be held in such manner as the physicians attending such meeting shall provide, and any such meeting may be held and one or more directors elected thereat if at least one-third of the total number of licensed physicians resident in the county are present.

The first term of office of the directors elected by the governing bodies of each of the member municipalities shall expire on the May 1 of the calendar year next succeeding the calendar year in which the certificate of incorporation of the corporation was filed for record. The first term of office of the directors elected by the governing body of the county and of the "A" director elected or appointed by the active circuit judge or judges of the county as aforesaid shall expire on the May 1 of the second calendar year next succeeding the calendar year in which the certificate of incorporation of the corporation was filed for record. The first term of office of the directors elected at the aforesaid mass meeting of all the physicians in the county, of the directors (if any) elected by said Central Labor Council and of the "B" director elected or appointed by the active circuit judge or judges of the county as aforesaid shall expire on the May 1 of the third calendar year next succeeding the calendar year in which the certificate of incorporation of the corporation was filed for record. The term of office of each director elected or appointed thereafter (other than one elected or appointed to fill an unexpired term) shall be three years. Each member of the board of directors shall serve until his successor is elected and shall qualify. If any director dies or resigns or ceases to be a duly qualified elector of the county or becomes incapable or otherwise ineligible to act as a director, a successor to serve for the unexpired period of his term shall be elected or appointed by the electing or appointing authority by whom the deceased, resigning, incapable or ineligible director was elected. Directors shall be eligible to succeed themselves in office. The members of the board of directors shall serve without compensation, except they may be reimbursed for actual expenses incurred in the performance of their duties as directors. No director shall be an employee of the corporation or of any hospital or other institution operated by it nor an employee of any other hospital or health-care institution in the county; provided however, that in the event the corporation proposes, according to its certificate of incorporation, to acquire an existing hospital then operated by another public corporation, agency, authority or body, any person who is then a member of the board or other governing body of such other public corporation, agency, authority or body may be elected and serve as a director of the corporation. No person who is a

member of the governing board of any state, county or municipal authority or agency and who was elected as such by the electorate may be elected to or serve on the board of directors of the corporation.

A majority of the members of the board of directors shall constitute a quorum for the transaction of business but any meeting of such board may be adjourned from time to time by a majority of the directors present or may be so adjourned by a single director if such director is the only director present at such meeting. No vacancy in the membership of the board of directors shall impair the right of a quorum to exercise all the powers and duties of the corporation. The board of directors shall hold regular meetings at such times as may be provided in the bylaws of the corporation; and such board may hold other meetings at any time and from time to time, provided that upon call of the chairman or a majority of the total number of directors, a special meeting of the board of directors must be held. Whenever any notice is required hereby or by the bylaws of the corporation to be given of any meeting of the board of directors, a waiver thereof in writing signed (whether before or after such meeting) by the person or persons entitled to such notice shall be the equivalent to the giving of such notice. Any matter on which the board of directors is authorized to act may be acted upon at any regular, special or called meeting. At the request of any director, the vote on any question before the board of directors shall be taken by yeas and nays and entered upon the record. All proceedings of the board of directors shall be reduced to writing by the secretary of the corporation, recorded in an appropriate book or books. Copies of such proceedings, when certified by the secretary of the corporation under its seal, shall be received in all courts as evidence of the matters and things therein certified. All meetings of the board of directors shall be open to the public except as otherwise provided by law. Any member of the board of directors may be impeached and removed from office in the same manner and on the same grounds provided by Section 175 of the Constitution of Alabama and the general laws of the state for impeachment and removal of officers mentioned in said Section 175."

Section 2. Section 15 of said Act No. 183 shall be and hereby is amended to read as follows:

"Section 15. Concerning Suits and Actions against the Corporation. No hospital authorized under this Act shall have governmental sovereignty or immunity."

Section 3. Section 16 of said Act No. 183 shall be and hereby is amended to read as follows:

"Section 16. Applicability of Ethics Law. The provisions of Act No. 130 enacted at the 1975 Regular Session of the Legislature of Alabama and all subsequent amendments thereto or any subsequent act which may replace the same shall apply to the members of the Board of Directors of the corporation; the administrator, and the purchasing agent of such hospital."

Section 4. Section 17 of said Act No. 183 shall be and hereby is amended to read as follows:

"Section 17. Applicability of Certain Other Statutes. Those provisions of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama, as amended, requiring competitive bids for certain purchases and services shall apply to the corporation to the same extent as said provisions are applicable to the other local governmental agencies specifically mentioned therein. Further, the provisions of Act No. 314 enacted at the 1969 Regular Session of the Legislature of Alabama (relating to insurance on public building contracts or public construction contracts) shall apply to the corporation."

Section 5. Section 18 of said Act No. 183 shall be and hereby is amended to read as follows:

"Section 18. Publication of Financial Statements. The corporation shall, within a reasonable time following the close of each of its fiscal years, cause to be published in a daily newspaper published in the county that is a member of the corporation (if there is any such daily newspaper) a statement of financial condition containing a brief listing or summary of its assets and liabilities (including the principal amount of its outstanding bonds and other securities) at the close of such fiscal year and a statement containing a brief listing or summary of the expenditures made by it during such fiscal year."

Section 6. Section 20 of said Act No. 183 shall be and hereby is amended to read as follows:

"Section 20. Provisions Exclusive. Any corporation organized under the provisions of this act shall, insofar as the subject matter of this act is concerned, be governed exclusively by the provisions of this act, which shall not be construed in pari materia with any other statute. Any hospital authority which is organized under the provisions of this act and which has any outstanding bonds or other indebtedness shall be bound by the provisions of this act unless such hospital authority receives express legislative permission or approval to be exempt from said act."

Section 7. This act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lee, LeFlore, Leonard, Lewis, Lutz, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—82

Mr. Johnson offered the following amendment No. 1 to the bill, S. 1097 as amended:

Amend page 2, the ninth line on such page, by inserting, after the word "agency" the words  
or board

Also, on the ninth line of page 2, by inserting after the word "electorate", the words  
or appointed as such by the appointing authority

Also, page 6, the thirteenth line on said page, by striking through the word "and" after the word "agency" and inserting immediately thereafter the following words:  
or board

Also, on the fourteenth line of said page 6, by inserting after the word "electorate", the following words:

, or appointed as such by the appointing authority,

And the amendment was adopted.

Yeas 73; Nays 2.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Campbell, Carter, Cates, Coburn, Crawford, Cross, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hilliard, Hines, Holmes, Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, LeFlore, Leonard, Lewis, Lutz, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—73

*Nays:* Messrs.: Clark and Lee.

—2

Mr. Johnson offered the following amendment No. 2 to the bill, S. 1097 as amended:

Amend page 1, line 14, by striking out the word "and" after the word "immunity"; also, page 1, line 22 by inserting, after the word "statements" the following words:

; and so as to require itemized disclosure, in the financial statements of the corporation, of the extent of direct or indirect business dealings between the corporation and any board member thereof.

Also, page 2, line 32, by inserting, after the word "statements" the following words

; and so as to require itemized disclosure, in such financial statements of the extent of direct or indirect business dealings between the corporation and any board member thereof.

Also, page 9, line 20, by inserting, after the word "year", the following words:

, and a statement containing an itemized listing of any business transaction during that fiscal year between the corporation and any member of the board of directors of the corporation or any firm, association, corporation or partnership in which any such member is financially interested, and the amount of money or other value involved in such transaction.

And the amendment was adopted.

Yeas 72; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hilliard, Hines, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, LeFlore, Leonard, Lewis, Lutz, Martin, Merrill, Mitchem, Moore (W),

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Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—72

Mr. Johnson offered the following amendment No. 3 to the bill, S. 1097 as amended:

Amend page 8, line 13, by striking through the word "agent" after the word "purchasing" and inserting immediately thereafter the word agents

And on page two, line 18 change the word agent to "agents".

And the amendment was adopted.

Yeas 71; Nays 2.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Campbell, Carothers, Carter, Cates, Coburn, Cross, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hines, Holmes, Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, LeFlore, Leonard, Lewis, Lutz, McNair, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—71

Nays: Messrs.: Clark and Lee.

—2

And the bill, S. 1097 as thus amended, was read a third time at length and passed.

Yeas 77; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hines, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, LeFlore, Leonard, Lewis, Lutz, McMillan, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—77

Nay: Mr. Lee

—1

RESOLUTION

The following resolution was introduced:

By Mr. Callahan:

H. J. R. 434. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there be

a committee of one appointed by the Speaker to study I. R. S. regulations, particularly as they concern matters relating to state employees and officers.

Said committee will meet no more than ten days and during such meetings the member will receive the regular pay and expenses from funds appropriated to the Legislature.

The committee will make available to each member of the House and Senate a copy of its findings.

On motion of Mr. Callahan, the rules were suspended and the resolution, H. J. R. 434, was adopted.

#### MOTION TO RECESS LOST

The motion offered by Mr. Armstrong that the House recess for thirty minutes was lost.

#### SPECIAL ORDER

The House then proceeded with the consideration of the bills on Special Order:

And the bill:

S. 400. (With Amendments): To implement the new Judicial Article of the Alabama Constitution (Amendment No. 328 approved December 18, 1973); by establishing a unified judicial system for the state; by establishing a new state court of limited jurisdiction to be known as the District Court of Alabama, having uniform jurisdiction, procedures and costs; by authorizing the establishment of municipal courts having uniform jurisdiction, procedures and costs; by providing that the state bear the cost of personnel and operation of the circuit and district courts; by making appropriations for the payment of salaries, pensions and other costs of the unified judicial system, except the courts of probate and municipal courts; by amending various sections of the Alabama Code of 1940 and subsequent statutes as required to make effective the unified judicial system. The contents of this Act are organized as follows:

The judicial authority of the state is vested in a unified system; amending Section 1 of title 13 of the Code of Alabama, 1940, to reflect constitutional provisions.

The jurisdiction of the circuit court and powers of presiding circuit judges are described with amendments to the Code of Alabama reflecting the new court structure; presiding circuit judge has general supervision of judges and other officers; circuit court has jurisdiction of appeals from municipal and district courts.

Repeals sections 157, 158, 159, 179, 180 and 181 of title 13 of the Code of Alabama, 1940; amends sections 115, 123, 172 of the Code of Alabama, 1940.

Provision is made for probate judges' election to come under the judicial retirement act; amount of benefits specified.

The district court established; effective January 16, 1977; civil and criminal jurisdiction; number of judges and places of holding court; election, compensation and retirement of district judges; provision for primary and secondary system of trials; uniform traffic ticket procedure; preliminary hearing jurisdiction; use of magistrates; district attorney responsible for prosecution; provision for a district court within geographic bounds constituting a district, designating places within dis-



tracts where court must be held; transfer of cases from present county and other courts; jurisdiction of civil cases up to five thousand dollars (\$5,000.00); special docket for small claims up to five hundred dollars (\$500.00); jurisdiction of involuntary commitment cases, if transferred from probate court; jurisdiction of juvenile cases; exclusive criminal jurisdiction in misdemeanor cases except those in municipal courts; authority to receive guilty pleas in all felonies not involving death penalty.

Repeals sections 313, 314, 315-341, 345, 346, 349 and 384-406 of title 13 of the Code of Alabama, 1940; repeals Act No. 764, approved September 17, 1953; and Act No. 535, approved January 1, 1954.

Jurisdiction of juvenile cases placed in district court; civil, criminal and delinquency procedures and rules regarding juveniles established; age of juveniles revised; appointment of referees; probation services; advisory boards; scope of jurisdiction; delinquency, custody, commitment, child abuse, offenses against children, paternity, desertion and non-support; investigations and complaints; court custody, detention and shelter care; transfer to criminal court; right to counsel; disposition of neglected and delinquent children; guardians ad litem; confidentiality of records; adult offenses; and appeals.

Repeals sections 350-383 of title 13 and sections 239, 252 (a8), 252 (a9), 252 (a10), 252 (a11), 252 (a12), 252 (a13), 252 (a14), 252 (a15) and 252 (a16) of title 45 of the Code of Alabama, 1940.

Providing for security and protection of judicial facilities; advisory and standing committees; court facilities; travel expenses of appellate court personnel; publishing and construction of rules; coordination and use of appropriations; voluntary diminution of compensation; use of special judges; provisions for senior associate justices to perform duties of chief justice when chief justice unable to act; supernumerary justices or judges and their dependents' rights and benefits; additional permanent duties for designated district court judges; procedure when bill introduced to increase or decrease number of judges or change boundaries of circuit or district; and local legislation affecting the judiciary.

Provision for phased assumption by the state of employment and compensation of personnel of district and circuit courts, beginning October 1, 1977; protection of local retirement rights of county employees transferred to state; compensation of circuit clerks; employee benefits for transferred personnel; positions of confidential secretaries for judges and clerks and bailiffs for judges; court reporters and referees; office of register abolished when present positions become vacant; compensation of registers; court reporters compensation; and supernumerary clerks and registers.

Establishment of municipal courts with uniform jurisdiction, procedures and costs; procedures for abolition of municipal courts by municipalities, transfer of jurisdiction to district court, and apportionment of fines; procedures for re-establishment of municipal courts; appointment and qualification of municipal judges; bail on personal recognizance, fines, jail, suspended sentence, probation; appeals to circuit court; arrest and search warrants; and use of magistrates.

Repeals sections 582-600 of title 37 of the Code of Alabama, 1940; repeals Act No. 403, approved August 16, 1965; Act No. 665, approved September 6, 1961; and Act No. 1108, approved September 12, 1969.

Provision for the presiding circuit judge to administer the indigent defense system; allows local option regarding type defense services pro-

vided, establishes an advisory indigent defense commission in each circuit; authorizes establishment of a public defender system in any circuit, paid by the state; and provides for compensation of appointed counsel by the state.

Repeals a portion of section 2 of Act No. 2421, approved October 1, 1971; and amends section 1 of Act No. 2420, approved October 1, 1971.

Probation services conformed to unified court system; provides maximum probation period of five years for felonies and two years for misdemeanors, and for termination of probation.

Amends sections 19, 23 and 24 of title 42 of the Code of Alabama, 1940.

Defines the duties and authority of administrative director of courts as assistant to chief justice as administrative head of judicial system; provides for personnel policies; provides for the attendance by judges and personnel of judicial system at educational conferences and meetings; provides for study and supervision of programs relating to the administration of justice, and coordination and use of judicial funds from appropriations and grants by the director.

Provides for authority to administer oaths and require testimony and production of records by judicial compensation commission established by the Constitution; and provides for payment of expenses of the commission.

Provides per diem compensation for members of judicial inquiry commission who are not judges in amount of one-half of one percent of annual salary paid by the state to circuit judges.

Provides for expenses of the court of the judiciary and reporter.

Provides for representation of district, municipal and probate judges on judicial conference; amending Act No. 118, approved January 12, 1972.

Provides for assumption by the state of expenses of district and circuit courts, phased over three fiscal years; provides that counties continue to be responsible for construction, maintenance and operation of courtrooms and facilities, and for transfer of title to equipment and furniture to the state; establishes uniform fees and court costs in circuit and district courts; provides for distribution of fees, costs, and fines between state and municipality.

Repeals section 1, 10, 11, 13, 18-26, 34, 38, 40-43, 55, 59-63, 65, 67, 72-76, 81-83, 85, 86, 89-91, 96, 97, 100-102 and 112 of title 11 of the Code of Alabama, 1940; repeals Act No. 742, approved September 23, 1957; Acts No. 58, approved June 1, 1945; section 1 of Act No. 741, approved September 23, 1957; sections 1 and 2 of Act No. 570, approved September 16, 1963; Act No. 311, approved July 28, 1949; section 1 of Act No. 575, approved July 7, 1943; Act No. 573, approved July 7, 1943; Act No. 413, approved July 7, 1945; Act No. 483, approved July 7, 1945; and Act No. 177, approved July 21, 1947; amends sections 2-4, 6, 7, 35-37, 39, 56, 57, 64, 92-95, 98, 104-108, 110 and 113 of title 11 of the Code of Alabama, 1940; and amends section 2 of Act No. 625, approved September 4, 1951; and a portion of section 2 of Act No. 2421, approved October 1, 1971.

Provides for state appropriations for Act.

Provides for severability of provisions of Act in proper case; repealer of existing laws inconsistent with Act; and establishes effective date of Act where individual articles or sections do not establish such, and of individual articles or sections.

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The question was then on the adoption of the amendment No. 1 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Substitute S. B. 400 in Section 4-131 (c), page 42, line 8, by inserting after the word "district" the words "or circuit".

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Crowe, Dial, Drake, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hilliard, Hines, Holmes, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Kinsey, LeFlore, Leonard, Lewis, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Morris, Naramore, Owens, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, White, Williams and Wyatt.

—81

The question was then on the adoption of the amendment No. 2 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Substitute to Senate Bill 400 as Amended in Section 5-109, page 59, line 34, by deleting the word, viz;

Further amend the Substitute to Senate Bill 400 as amended in Section 5-109, page 59, on line 36, by deleting the period and inserting in lieu thereof a semi-colon and the word: or

Further amend the Substitute to Senate Bill 400 as amended in Section 5-109, page 59, on line 37, by inserting a new sub-section (d) to read as follows:

(d) in proceedings for the commitment of a mentally ill or mentally retarded minor.

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Drake, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hilliard, Hines, Holmes, Howard, Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, LeFlore, Leonard, Lewis, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Merrill, Mitchem, Morris, Naramore, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, White, Williams and Wyatt.

—80

The question was then on the adoption of the amendment No. 3 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Substitute S. B. 400 in Section 16-130, page 182, line 20, by deleting the words "appeals of"

and

further amend Section 16-130, page 182, line 22, by deleting the words and inserting in lieu thereof the word: eight

and

further amend Section 16-130, page 182, line 23, by deleting the word and the period following the word "fund" and inserting in lieu thereof a comma and the words ten dollars to the district attorney fund, or to the fund prescribed by law for district attorney fees, and five dollars to the police officers annuity fund

and

further amend Section 16-130, page 182, by inserting a sub-section (a) to read as follows:

"(a) All references to police officers annuity fund found in this Act shall be construed to be references to the peace officers annuity fund."

And the amendment was adopted.

Yeas 82; Nays 0.

**Yeas:**

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hilliard, Hines, Holmes, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kinsey, Lee, LeFlore, Leonard, Lewis, Lutz, McCluskey, McMillan, McNair, McNees, Malone, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, White, Williams and Wyatt.

—82

The question was then on the adoption of the amendment No. 4 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Senate Finance and Taxation Committee Substitute to Senate Bill 400 as amended by adding on page 170 in Section 16-103 in Article 16, after section (b)(2), the following subsection:

(b) (3) All forms, stationery, and other printed court supplies may be purchased through the county purchasing agent or in the same manner in which the county purchases such supplies if the county has no purchasing agent, and the cost thereof shall be reimbursed to the county by the State from funds appropriated for such use.

And the amendment was adopted.

Yeas 81; Nays 2.

**Yeas:**

Mr. Speaker, Albright, Armstrong, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Drake, Edwards, Folmar, Ford, Gafford, Goodwin, Greer, Gregg,

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Hall, Harris, Harrison, Higginbotham, Hilliard, Hines, Holmes, Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lutz, McCluskey, McMillan, McNair, McNees, Malone, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Venable, Waggoner, Warren, White, Williams and Wyatt.

—81

*Nays:* Messrs.: Cooper and Smith (J).

—2

The question was then on the adoption of the amendment No. 5 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the substitute to S. 400 on pages 113 and 114 by deleting Sections 6-110, 6-111, 6-112, 6-113, and 6-114 in their entirety and by renumbering the remaining sections accordingly.

EXPLANATION

This amendment deletes supernumerary coverage under the Judicial Retirement Fund. This would save the State's General Fund approximately \$2 million.

AMENDMENT TABLED

On motion of Mr. Killian, the amendment No. 5 reported by the Standing Committee on Ways and Means to the bill, S. 400, was tabled.

Yeas 56; Nays 22.

*Yeas:*

Messrs.: Albright, Armstrong, Baker, Biddle, Brindley, Campbell, Carter, Cates, Coburn, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kennedy, Killian, Leonard, McCluskey, McNees, Manley, Moore (W), Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Roberts, Robertson, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Teague, Venable and Waggoner.

—56

*Nays:*

Messrs.: Carothers, Crawford, Ford, Gafford, Higginbotham, Kinsey, Lee, Lewis, McNair, Malone, Martin, Merrill, Rich, Riddick, Sasser, Shelton, Smith (B), Taylor, Trammell, White, Williams and Wyatt.

—22

REPORT OF THE STANDING COMMITTEE  
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 424. Mourning the death of Reginald Wilton Lawley.

Also:

H. J. R. 425. Mourning the death of George Albert Crawford, brother of Representative Buddy Crawford.

Also:

H. J. R. 426. Naming Senate Bill 576 the "Littleton-Smith Bill".

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

#### SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 405. To amend Section 367 of Title 52 Code of Alabama of 1940, as amended, which relates to the administration of the Teachers' Retirement System of Alabama; to provide that the election of certain trustees to the Board of Control of the Teachers' Retirement System be accomplished by an annual statewide election, conducted under the rules, regulations and supervision of said Board of Control; to provide that each member of the Retirement System shall be eligible to vote for each position subject to election; and to provide for the admissibility of microfilmed records.

Also:

H. 1623. To amend Section 2 of Act No. 1218, H. 342, Regular Session of 1973 (Acts 1973, p. 2065), which relates to appropriations for the renovation, repair, refurbishing, and refurbishing of certain state buildings so as to remove the line item conditional appropriations and appropriate the sum of Two Million Dollars.

Also:

H. 816. To name a certain building at Snead State Junior College.

Also:

H. 316. To amend Act No. 246, Page 203, Acts of 1943, which relates to the investment of funds of counties, cities and towns so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States may be appointed as a depository of municipal or county funds.

H. 318. To further amend Section 4, Title 12, Code of Alabama 1940, as amended, so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository for county funds.

Also:

H. 948. To further amend the Code of Alabama 1940, Title 5, Section 81, which relates to legally required reserves of banks within the state, so as to add penalties for the violation thereof.

Also:

H. 748. To provide facilities in Talladega County for displaying certain antique automobiles, artifacts relating to the history of the automobile and historical displays relating to the automobile racing industry; creating the Motor Sports Hall of Fame Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Also:

H. 1195. To exempt gas districts now or hereafter organized under the provisions of Act No. 762 adopted at the 1951 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 949. To authorize the Superintendent of Banks to expand the banking powers of Alabama banks or the powers of Alabama savings and loan associations or the powers of Alabama credit unions; to provide that any such additional powers shall not in the case of banks authorize activities which are not properly incident to the business of banking, and in the case of savings and loan associations or credit unions that such additional powers shall not authorize them to offer financial services now prohibited to them; to provide that no bank, savings and loan association and no credit union having their principal place of business outside of Alabama may engage in any such activities in Alabama unless the Superintendent of Banks and the appropriate regulatory authority outside of Alabama have entered agreements authorizing Alabama and non-Alabama institutions to exercise in Alabama and in such other jurisdiction reciprocal rights; to authorize the Superintendent of Banks to issue appropriate regulations; and to require Alabama banks, Alabama savings and loan associations, Alabama credit unions and any similar foreign entity to secure prior written permission of the Superintendent of Banks before exercising such additional powers in Alabama; to provide that the provisions of this Act are cumulative and severable; and to provide for an effective date.

Also:

H. 1370. To exempt warrants issued by a county under the provisions of Act No. 1092 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying the cost of reappraisal of property as required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature of Alabama from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1371. To exempt warrants issued by a county under the provisions of Act No. 220 adopted at the 1967 Regular Session of the Legislature of Alabama in anticipation of and payable solely out of that portion of the highway gasoline tax required by law to be distributed to counties which are subject to the provisions of such Act from the laws of the State of Alabama governing usury or prescribing or limiting interest

rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1372. To exempt warrants issued by a county under the provisions of Act No. 1128 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying costs of acquiring and providing water works systems from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1374. To exempt securities issued by any county payable from or secured by a pledge of any part of the tax proceeds of the special tax authorized to be levied under the second proviso of Section 215 of the Constitution of Alabama of 1901, as amended by Amendment CCVIII, and Title 12, Sections 185, 186 and 191 of the Code of Alabama of 1940, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 747. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding \$3,000,000.00 for the purpose of providing and equipping permanent housing facilities for the display of certain exhibits.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### S. 400 RESUMED

The question was then on the adoption of the amendment No. 6 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Substitute to Senate Bill 400 as amended on page 125, Section 7-109 (c), on lines 19 and 21 by striking the word, viz; and inserting in lieu thereof the following words:

fixed compensation

And the amendment was adopted.

Yeas 85; Nays 1.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hilliard, Hines, Holley, Holmes, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy,



Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Malone, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Warren, White, Williams and Wyatt.

—85

Nay: Mr. McNair:

—1

The question was then on the adoption of the amendment No. 7 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Finance and Taxation Committee substitute to Senate Bill 400 as follows:

By causing Article 4-104, p. 21, beginning at line 17, to read as follows:

4-104. Juvenile Jurisdiction. Juvenile jurisdiction shall be exercised concurrently by the district court and the circuit court as provided by law.

And the amendment was adopted.

Yeas 89; Nays 2.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, McCluskey, McCulley, McMillan, McNees, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Teague, Trammell, Tucker, Venable, Waggoner, Warren, White, Williams and Wyatt.

—89

Nays: Messrs.: Lutz and Martin.

—2

The question was then on the adoption of the amendment No. 8 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Finance and Taxation Committee substitute Senate Bill 400 as follows:

By causing Article 5-101(g), p. 28, lines 36 and 37, to read as follows:

5-101(g). "Court" or "Juvenile Court" means the juvenile division of the district court or the juvenile division of the circuit court as established by this act;

And the amendment was adopted.

Yeas 87; Nays 4.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carter, Cates, Clark, Coburn, Cooper, Crawford,

Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Venable, Warren and Williams.

—87

*Nays:* Messrs.: Carothers, Lutz, Martin and Wyatt.

—4

The question was then on the adoption of the amendment No. 9 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Substitute for S. B. 400 in Section 4-113(b) (3), on line 4, page 32, by deleting the word and number and inserting in lieu thereof, the word and number four (4)

And the amendment was adopted.

Yeas 92; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn Cooper, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Ford, Faford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hilliard, Hines, Holley, Holmes, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Venable, Warren, White, Williams and Wyatt.

—92

The question was then on the adoption of the amendment No. 10 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Finance and Taxation Committee substitute to Senate Bill 400 as follows:

Amend 5-102, p. 53, lines 9 through 25 to read as follows:

5-102. Juvenile Court; Power and Authority. The circuit court and the district court shall exercise original concurrent juvenile jurisdiction sitting as the juvenile court. The juvenile court shall keep a docket which shall be separate and distinct from any other docket kept in said court, and the orders and decrees of the court relating to such cases shall be entered in a separate minute book. The Supreme Court shall promulgate rules governing procedure in the juvenile court. Juvenile court shall have full power and authority to issue all writs and processes necessary to the exercise of such jurisdiction and to carrying out of the purposes of this article. The judge of the court shall have power to issue writs of arrest and of habeas corpus to have brought before the court children alleged to be dependent, delinquent or in need of supervision, to be dealt

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with by said court under the terms of this article. The court shall have and exercise the jurisdiction and equity power possessed by courts in this state.

And the amendment was adopted.

Yeas 80; Nays 4.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carter, Cates, Clark, Coburn, Cooper, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Hilliard, Hines, Holley, Holmes, Howard, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Manley, Merrill, Mitchem, Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Tucker, Venable, Waggoner, Warren, Weeks, White and Williams.

—80

Nays: Messrs.: Carothers, Lutz, Martin and Wyatt.

—4

The question was then on the adoption of the amendment No. 11 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Finance and Taxation Committee substitute to Senate Bill 400 as follows:

Amend 5-103(a) on p. 53, commencing with line 26 and continuing through line 38, to read as follows:

5-103(a). Juvenile Judge; Assignments; Power and Duties. (a) The judge of the district court shall serve as the juvenile court judge in those districts having only one district judge; in those districts having more than one district court judge, the presiding circuit court judge shall designate from time to time a district court judge or circuit court judge who shall serve as the judge hearing juvenile cases.

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Hall, Harrison, Higginbotham, Hilliard, Hines, Holley, Holmes, Howard, Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Merrill, Mitchem, Morris, Naramore, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Taylor, Teague, Tucker, Venable, Waggoner, Warren, Weeks, Williams and Wyatt.

—81

The question was then on the adoption of the amendment No. 12 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Finance and Taxation Committee Substitute to Senate Bill 400 as follows:

By causing Article 5-101 (c) on page 48, line 9 to read as follows

5-101 (c) "child" means an individual under the age of 16.

#### AMENDMENT TABLED

On motion of Mr. Lutz the amendment No. 12 was tabled.

Yeas 82; Nays 12.

#### Yeas:

Messrs.: Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Campbell, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McNair, Martin, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—82

#### Nays:

Messrs.: Callahan, Carothers, Carter, Folmar, Glass, Malone, Merrill, Moore (W), Sandusky, Sasser, Smith (J) and Venable.

—12

#### MOTION TO RECESS LOST

The motion offered by Mr. Boles that the House recess for thirty minutes was lost.

#### S. 400 TEMPORARILY CARRIED OVER

On motion of Mr. Crowe, the bill, S. 400 as amended, was temporarily carried over.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 219. Relating to mobile home safety, making it unlawful to occupy a mobile home unless it is anchored to resist certain wind loads; providing the Alabama State Fire Marshal with authority to promulgate rules and regulations to enforce this act and providing criminal and other penalties for its violation.

Also:

S. 220. To amend Section 6 of Act No. 1938, H. 262, Regular Session 1971, approved September 20, 1971, which act establishes a Uniform Standards Code for the construction of mobile homes to be sold within this state so as to require the posting of bond by the dealer or manufacturer before the issuance of a license by the State Fire Marshal.

Also:

S. 633. To authorize any county governing body in the Sixth Judicial Circuit to furnish to the office of District Attorney necessary personnel, equipment and supplies.

Also:

S. 992. To exempt from the sales tax levied by Act 100, Second Special Session, Legislature of Alabama 1959, sales of sod by a farmer.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 143, COMMENDING JAMES ALLEN (BEAU) JOHNSON, JR., FOR CONTINUING HIS EDUCATION WHILE SERVING IN THE U. S. AIR FORCE.

Also:

S. J. R. 147, COMMENDING THE BIRMINGHAM PUBLIC LIBRARY ON ITS BOOK-BY-MAIL PROGRAM FOR THE HANDICAPPED AND SENIOR CITIZENS OVER SIXTY-FIVE YEARS OF AGE.

Also:

S. J. R. 149, CONGRATULATING SENATOR PEARSON UPON HIS APPOINTMENT TO THE MILES COLLEGE BOARD OF TRUSTEES.

Also:

S. J. R. 151, EXPRESSING APPRECIATION TO THE MEMBERS OF THE MEDICAL ASSOCIATION OF THE STATE OF ALABAMA WHO PARTICIPATED IN THE "PHYSICIAN FOR A DAY" PROGRAM.

Also:

S. J. R. 157, DESIGNATING THE ROAD RUNNING FROM THE I-65 EXIT AT HAYDEN'S CORNER TO RICKWOOD CAVERNS THE "RICKWOOD CAVERNS STATE PARK SCENIC DRIVE".

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

and requests that the Conference Committee be discharged and that a new Conference Committee be appointed.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Foshee, Owen and Wilson.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Mr. Merrill, the House acceded to the request of the Senate that the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 490, be discharged, and a new Committee on Conference be appointed.

Yeas 74; Nays 1.

Yeas:

Messrs.: Andrews, Armstrong, Barron, Biddle, Boles, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Harris, Harrison, Higginbotham, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Porter, Reed, Roberts, Sandusky, Sasser, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Warren, Weeks and White.

—74

Nay: Mr. Moore (W).

—1

And the Speaker appointed as a Committee on Conference on the part of the House, Messrs. Merrill, Owens and Manley.

## S. 400 RESUMED

Mr. Callahan offered the following amendment to the bill, S. 400 as amended:

Amend S. B. 400 by changing Article 5-101 (a) on page 48, line 5, to read as follows:

5-101 (a) "adult" means an individual 17 years of age or older.

## SUBSTITUTE AMENDMENT OFFERED

Mr. Reed offered the following substitute amendment to the amendment offered by Mr. Callahan to the bill, S. 400 as amended:

Amend the Finance and Taxation Committee Substitute to Senate Bill 400 as follows:

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By causing Article 5-101(a) on page 48, line 5, to read as follows:

5-101(a) "adult" means an individual 19 years of age or older.

SUBSTITUTE AMENDMENT TABLED

On motion of Mr. Callahan, the substitute amendment offered by Mr. Reed, was tabled.

Yeas 58; Nays 14.

*Yeas:*

Mr. Speaker, Baker, Biddle, Boles, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Drake, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Harris, Higginbotham, Hill, Hines, Hopping, Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, McCluskey, McMillan, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Rich, Roberts, Sandusky, Sasser, Smith (B), Smith (C), Sonnier, Taylor, Venable, Waggoner, Warren, White and Williams.

—58

*Nays:*

Messrs.: Andrews, Falkenburg, Hall, Hilliard, Holmes, Howard, Jackson (R), Kennedy, Leonard, McNair, Plaster, Porter, Quarles and Reed.

—14

AMENDMENT TABLED

The question was then on the amendment offered by Mr. Callahan to the bill, S. 400 as amended, and on motion of Mr. Lutz the amendment was tabled.

Yeas 64; Nays 22.

*Yeas:*

Messrs.: Albright, Armstrong, Baker, Barron, Boles, Campbell, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Drake, Falkenburg, Ford, Gafford, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McNair, McNees, Manley, Martin, Mitchem, Moore (W), Naramore, Pegues, Plaster, Porter, Quarles, Rich, Roberts, Robertson, Smith (B), Sparks, Taylor, Tucker, Waggoner, Warren, White and Wyatt.

—64

*Nays:*

Mr. Speaker, Andrews, Biddle, Callahan, Carothers, Carter, Folmar, Glass, Gregg, Kinsey, LeFlore, McMillan, Merrill, Morris, Sandusky, Sasser, Smith (C), Smith (M), Sonnier, Turnham, Venable and Williams.

—22

The question was then on the adoption of the amendment No. 13 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Finance and Taxation Committee Substitute to Senate Bill 400 as follows:

By causing Article 5-101 (a) on page 48, line 5, to read as follows:

5-101 (a) "adult" means an individual 16 years of age or older.

## AMENDMENT TABLED

On motion of Mr. Hill, the amendment No. 13 reported by the Standing Committee on Ways and Means to the bill, S. 400 as amended, was tabled.

Yeas 74; Nays 6.

*Yeas:*

Messrs.: Albright, Armstrong, Baker, Barron, Biddle, Boles, Campbell, Carter, Cates, Clark, Cooper, Crawford, Cross, Drake, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hiliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Naramore, Pegues, Plaster, Porter, Quarles, Rich, Roberts, Robertson, Smith (B), Smith (C), Sparks, Taylor, Tucker, Turnham, Waggoner, Warren, White, Williams and Wyatt.

—74

*Nays:*

Messrs.: Callahan, Carothers, Folmar, Sandusky, Sasser and Sonnier.

—6

The question was then on the adoption of the amendment No. 14 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Finance and Taxation Committee Substitute to Senate Bill 400 as amended by striking in their entirety subsections (a) and (b) of section 7-114 of Article 7 on lines 17 through 34, on page 129 and inserting in lieu thereof the following words and figures:

(a) the annual salary for a supernumerary circuit court clerk paid by the State, shall be \$12,187.50.

(b) the annual salary for a supernumerary register paid by the State, shall be \$12,187.50.

And the amendment was adopted.

Yeas 73; Nays 5.

*Yeas:*

Messrs.: Albright, Armstrong, Baker, Biddle, Boles, Callahan, Campbell, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Rich, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Taylor, Tucker, Turnham, Waggoner, Warren, White, Williams and Wyatt.

—73

*Nays:*

Messrs.: Carothers, Gregg, Kennedy, Lutz and Moore (W).

—5

The question was then on the adoption of the amendment No. 15 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:



Amend the Finance and Taxation Committee Substitute to Senate Bill 400 as amended by striking after the word, "Morgan", in section 4-113 of Article 4, on lines 37 and 38, on page 31 the following words:

and inserting in lieu thereof the following:

and Talladega.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Waggoner, Warren, White, Williams and Wyatt.

—87

The question was then on the adoption of the amendment No. 16 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Senate Finance and Taxation Committee Substitute to Senate Bill 400 as Amended by striking therefrom on page 125, lines 14 and 15, in Section 7-109, the following words:

and inserting in lieu thereof the following date:

January 16, 1977,

And the amendment was adopted.

Yeas 80; Nays 2.

Yeas:

Messrs.: Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Folmar, Ford, Gafford, Glass, Goodwin, Gregg, Hall, Harris, Harrison, Hill, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Martin, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, White, Williams and Wyatt.

—80

Nays: Messrs.: Cross and Greer.

—2

The question was then on the adoption of the amendment No. 17 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Substitute S. B. 400 in Section 16-113, page 174, line 27, by deleting lines 27 through 30 and adding the following: "Where notice by publication or registered mail is used, the actual cost shall be collected before publication as a service fee at the outset of the case."

And the amendment was adopted.

Yeas 84; Nays 1.

*Yeas:*

Messrs.: Albright, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, White, Williams and Wyatt.

—84

*Nay:* Mr. Crowe.

—1

The question was then on the adoption of the amendment No. 18 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Senate Finance and Taxation Committee Substitute to Senate Bill 400 as amended by deleting in its entirety the first sentence of Section 4-114 of Article 4 on page 35 which reads as follows:

and insert in lieu thereof the following:

Each district judge shall be compensated by the state at a salary of twenty-two thousand five hundred (22,500.00) dollars.

#### MOTION TO TABLE LOST

The motion offered by Mr. Gregg to table the amendment No. 18 reported by the Standing Committee on Ways and Means to the bill, S. 400, was lost.

Yeas 12; Nays 69.

*Yeas:*

Messrs.: Armstrong, Baker, Carter, Ford, Gregg, Higginbotham, Martin, Rich, Smith (B), Smith (J), Taylor and Waggoner.

—12

*Nays:*

Mr. Speaker, Barron, Boles, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Crawford, Cross, Folmar, Glass, Goodwin, Hall, Harris, Harrison, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Riddick, Roberts, Sandusky, Sasser, Smith (C), Smith (M), Sonnier, Sparks, Starkey, Trammell, Tucker, Turnham, Warren, Whatley, White, Williams and Wyatt.

—69

The question was then on the adoption of the amendment No. 18 reported by the Standing Committee on Ways and Means, and the amendment was adopted.

Yeas 71; Nays 7.

*Yeas:*

Messrs.: Baker, Barron, Boles, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Falkenburg, Folmar, Ford, Glass, Goodwin, Hall, Harris, Harrison, Hines, Holley, Holmes, Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, Malone, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Porter, Quarles, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—71

*Nays:*

Mr. Speaker, Armstrong, Greer, Gregg, Hilliard, Martin and Rich.

—7

The question was then on the adoption of the amendment No. 19 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Senate Finance and Taxation Committee Substitute to Senate Bill 400 as amended by deleting the first sentence of Section 7-104 of Article 7 on lines 15 through 18 on page 117 as follows:

and insert in lieu thereof the following:

Each circuit clerk shall be compensated by the state, beginning January 16, 1977, at a salary rate of eighteen thousand seven hundred fifty (18,750) dollars.

And the amendment was adopted.

Yeas 74; Nays 6.

*Yeas:*

Messrs.: Albright, Baker, Barron, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Falkenburg, Folmar, Glass, Goodwin, Gregg, Hall, Harris, Harrison, Higginbotham, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Mitchem, Moore (O), Morris, Naramore, Pegues, Porter, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Tucker, Turnham, Warren, Whatley, White, Williams and Wyatt.

—74

*Nays:*

Messrs.: Armstrong, Ford, Greer, Plaster, Taylor and Waggoner.

—6

The question was then on the adoption of the amendment No. 20 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Substitute to the Senate Finance and Taxation Committee Substitute to Senate Bill 400 as amended by deleting in their entirety subsections (c) and (d) of Section 7-110 of Article 7 on lines 30 through 40, on page 126, and on lines 3 through 15 on page 127.

#### AMENDMENT TABLED

On motion of Mr. Folmar, the amendment No. 20 reported by the Standing Committee on Ways and Means to the bill, S. 400 as amended, was tabled.

Yeas 66; Nays 15.

Yeas:

Messrs.: Armstrong, Baker, Brindley, Carothers, Carter, Cates, Clark, Coburn, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (R), Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Naramore, Porter, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (M), Sparks, Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley and Williams.

—66

Nays:

Messrs.: Barron, Boles, Campbell, Gafford, Harris, Harrison, Leonard, Lutz, McNair, Moore (W), Pegues, Plaster, Riddick, Smith (B) and Wyatt.

—15

The question was then on the adoption of the amendment No. 21 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Substitute to Senate Bill 400 as amended by deleting on lines 19 and 20, on page 197, in Section 17-101 of Article 17 the following words and figures:

#### AMENDMENT TABLED

On motion of Mr. Folmar, the amendment No. 21 reported by the Standing Committee on Ways and Means to the bill, S. 400 as amended, was tabled.

Yeas 71; Nays 5.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Brindley, Callahan, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Drake, Edwards, Folmar, Ford, Goodwin, Greer, Gregg, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, McCluskey, McCulley, McMillan, McNees, Malone, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Porter, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sparks, Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Weeks and Whatley.

—71

Nays:

Messrs.: Barron, Harrison, Leonard, Plaster and Wyatt.

—5

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The question was then on the adoption of the amendment No. 22 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the Finance and Taxation Substitute to Senate Bill 400 as amended by striking the words and figures as included by Senate amendment in section 17-100 of Article 17 on page 197 in line 20 as follows:

AMENDMENT TABLED

On motion of Mr. Folmar, the amendment No. 22 reported by the Standing Committee on Ways and Means to the bill, S. 400 as amended, was tabled.

Yeas 73; Nays 10.

*Yeas:*

Messrs.: Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, McCluskey, McCulley, McMillan, Malone, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Porter, Quarles, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (M), Sonnier, Sparks, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Weeks and Williams.

—73

*Nays:*

Messrs.: Barron, Harrison, Leonard, Lutz, Martin, Plaster, Riddick, Smith (B), Whatley and Wyatt.

—10

The question was then on the adoption of the amendment No. 23 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend the House Judiciary Substitute for House Bill 480 by striking from the bill the following words and figures:

and inserting in lieu thereof the following:

17-101. Appropriations for all articles of Act. The legislature from time to time shall appropriate sufficient monies out of the general fund of she state treasury sufficiently to provide for the provisions of this Act. Monies are hereby appropriated out of the general fund in the amount of \$43,350.00 for all provisions of this Act for the fiscal year ending September 30, 1976.

AMENDMENT TABLED

On motion of Mr. Folmar, the amendment No. 23 reported by the Standing Committee on Ways and Means to the bill, S. 400 as amended, was tabled.

Yeas 81; Nays 7.

*Yeas:*

Messrs.: Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson

(F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, McCluskey, McCulley, McMillan, McNees, Malone, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Porter, Quarles, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley and Williams.

—81

*Nays:*

Messrs.: Barron, Coburn, Lutz, McNair, Plaster, Riddick and Wyatt.

—7

Mr. Falkenburg offered the following amendment No. 1 to the bill, S. 400 as amended:

Amend Senate Bill 400 in Section 4-114, page 35, line 35, by inserting after the word "counties" a new sentence to read as follows:

"Notwithstanding the foregoing provision for supplemental salary for district court judges, any county may by local act already enacted or hereafter enacted, pay a district judge or district judges a supplemental salary from the general fund of such county in excess of the supplemental salary provided for by this section of the Act."

And the amendment was adopted.

Yeas 79; Nays 1.

*Yeas:*

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Killian, Kinsey, Leonard, Lewis, McCluskey, McMillan, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—79

*Nay:* Mr. Crowe.

—1

Mr. Armstrong offered the following amendment No. 1 to the bill, S. 400 as amended:

Amend Senate Bill 400 in Section 7-104, page 117, line 30, by inserting after the word "counties" a new sentence to read as follows:

"Notwithstanding the foregoing provision for supplemental salary for circuit clerks, any county may by local act already enacted or hereafter enacted, pay a circuit clerk a supplemental salary from the general fund of such county in excess of the supplemental salary provided for by this section of the Act."

And the amendment was adopted.

Yeas 83; Nays 0.

*Yeas:*

Mr. Speaker, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe,

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Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, Martin, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—83

Mr. Dial offered the following amendment to the bill, S. 400 as amended:

Amend Section 4-131, subsection (b) on page 41, lines 23 through 5 on page 42, to read as follows:

(b) County solicitors. On the initiation date of the district court, the functions of the position of county solicitor shall be performed by assistant district attorneys and the office of county solicitor shall be abolished. County solicitors serving terms to which they have been elected prior to the initiation date may elect to become assistant district attorneys for the duration of their electoral terms without diminution of salary or expense payments, and those who will have served four full terms as an elected county solicitor at the end of such term may elect to become a supernumerary district attorney by filing a written declaration to that effect with the governor.

And the amendment was lost.

Yeas 15; Nays 62.

*Yeas:*

Messrs.: Dial, Drake, Folmar, Harrison, Holley, Leonard, McCluskey, McNeas, Morris, Naramore, Quarles, Smith (C), Sonnier, Teague and Warren.

—15

*Nays:*

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hilliard, Hines, Holmes, Hopping, Howard, Jackson (R), Johnson, Johnstone, Kelley, Kinsey, Lee, Lewis, Lockett, Lutz, McMillan, McNair, Martin, Merrill, Mitchem, Moore (O), Moore (W), Pegues, Plaster, Rich, Riddick, Roberts, Sandusky, Shelton, Smith (B), Smith (J), Smith (M), Taylor, Tucker, Venable, Waggoner, Weeks, Whatley and White.

—62

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 654. To provide for supernumerary clerks of the circuit courts in the Sixth Judicial Circuit of the state, describing their duties, setting up the requirements and qualifications; fixing their compensation, status and tenure of office and providing for the payment out of the county treasury of their salaries.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 481. To amend Act No. 2441, of the 1971 Legislature (Acts, 1971, page 3903), entitled "An Act to provide that the governing body of any municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may appoint the chief of police of such a municipality in event of a vacancy, from the number of officers of the police force who hold the rank of captain or above, without regard to any Civil Service or Personnel Board rules or regulations concerning such appointment and providing that such Personnel Board may fix the compensation of said chief of police, and his status in any Civil Service System in such municipality."

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 952. To amend Act No. 796, H. 1033, Regular Session 1971 (Acts 1971, p. 1530) entitled, "An Act Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities."

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 478. To amend the title and Section 18 of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 et seq.) as amended, which relates to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census: to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon etc. so as to provide further for the distribution of license fees, taxes, commissions, and other monies received under the provisions of this Act, and to create a board for the purpose of distributing a portion of such monies.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 353. Naming Alabama Highway 180 that runs from the intersection of Highway 59 through the western-most point of Baldwin County The Fort Morgan Parkway.



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Also:

H. J. R. 402. Naming the portion of Highway 43 within the city limits of Chickasaw, Alabama, "Perloff Boulevard".

McDOWELL LEE,  
Secretary.

S. 400 RESUMED

Mr. Holmes offered the following amendment to the bill, as amended:

Amend Senate Bill 400 by deleting in their entirety Section 4-112, subsection (b) 5, page 32, line 12-17, subsection (b) 8 on page 33, lines 3-6 and number the other remaining subsections accordingly.

MOTION TO TEMPORARILY CARRY OVER LOST

The motion offered by Mr. Crowe to temporarily carry over the bill, S. 400 as amended, was lost.

Yeas 14; Nays 73.

Yeas:

Messrs.: Brindley, Carothers, Carter, Crowe, Higginbotham, Holmes, Kennedy, McNees, Moore (W), Naramore, Smith (C), Sonnier, Trammell and Warren.

—14

Nays:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Callahan, Campbell, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Malone, Manley, Martin, Mitchem, Moore (O), Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (J), Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Whatley, Williams and Wyatt.

—73

The question was then on the adoption of the amendment offered by Mr. Holmes to the bill, S. 400 as amended, and the amendment was adopted.

Yeas 35; Nays 28.

Yeas:

Messrs.: Albright, Armstrong, Clark, Coburn, Cooper, Edwards, Falkenburg, Hall, Harrison, Hill, Hilliard, Holley, Holmes, Jackson (R), Johnson, Johnstone, Kennedy, Lee, LeFlore, Leonard, Lewis, McNair, Merrill, Mitchem, Plaster, Porter, Reed, Sasser, Smith (B), Smith (J), Taylor, Tucker, Warren, Williams and Wyatt.

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Nays:

Messrs.: Andrews, Barron, Callahan, Campbell, Carothers, Carter, Crawford, Cross, Folmar, Ford, Goodwin, Greer, Higginbotham, Kinsey, Lockett, McCluskey, Moore (O), Morris, Pegues, Riddick, Roberts, Sandusky, Shelton, Smith (C), Sonnier, Turnham and Venable.

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REPORT OF THE STANDING COMMITTEE  
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 353. Naming Alabama Highway 180 that runs from the intersection of Highway 59 through the western-most point of Baldwin County the Fort Morgan Parkway.

Also:

H. J. R. 402. Naming the portion of Highway 43 within the city limits of Chickasaw, Alabama "Perloff Boulevard".

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

## SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

## S. 400 RESUMED

Mr. Cates offered the following amendment to the bill, S. 400 as amended:

Amend Page 30, Line 31 by striking the words and inserting in lieu thereof the word sixty.

Also on page 30, line 32 amend by striking through and inserting in lieu thereof (60).

Also on page 30, line 40 by striking through the words and inserting in lieu thereof the word sixty (60)

Also on page 31, line 22 amend by striking through the words and inserting in lieu thereof the word sixty (60)

And the amendment was adopted.

Yeas 70; Nays 4.

Yeas:

Mr. Speaker, Albright, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Edwards, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Holley, Holmes, Jackson (F), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, McMillan, McNair, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Williams and Wyatt.

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Nays: Messrs.: Johnstone, Martin, Morris and Reed.

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Mr. Falkenburg offered the following amendment No. 2 to the bill, S. 400 as amended:

Article 16-117 on Page 176 lines 20 through 26 is amended to read as follows:

"Collection and Distribution of Fines in Misdemeanor and Felony Cases—Except as otherwise provided in Article 8 hereof, 25% of the Fines shall be remitted to the General Fund of any county in which said case was docketed if such county is required to supplement the salary and other fringe benefits of any state employee under this Bill; the salary and other fringe benefits to be supplemented shall not exceed the salary and other fringe benefits that existed on October 8, 1975; said remittur of Fines to any such county shall not exceed the amount of any required supplement; the remaining 75% shall be remitted to the State General Fund; Provided that State Funds or percentages thereof designated for use by State agencies or departments shall be distributed as otherwise provided by law."

**AMENDMENT TABLED**

On motion of Mr. Killian the amendment No. 2 offered by Mr. Falkenburg to the bill, S. 400 as amended, was tabled.

Yeas 67; Nays 18.

*Yeas:*

Mr. Speaker, Albright, Barron, Boles, Brindley, Callahan, Campbell, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Goodwin, Greer, Gregg, Harris, Harrison, Hill, Hines, Holley, Holmes, Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, Malone, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Pegues, Plaster, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Teague, Tucker, Venable, Waggoner, Warren, Williams and Wyatt.

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*Nays:*

Messrs.: Andrews, Armstrong, Baker, Carothers, Falkenburg, Gafford, Higginbotham, Hilliard, Jackson (F), Jackson (R), Jolly, Naramore, Quarles, Reed, Rich, Taylor, Trammell and Turnham.

—18

Mr. Armstrong offered the following amendment No. 2 to the bill, S. 400 as amended:

On page 26, line 5, after the word "warrants;" add "shall be directed to any officer of the State Department of Public Safety and any other officer now authorized to execute search warrants. In the event such magistrate is not licensed to practice law in Alabama, said warrants shall be issued by the District Judge."

And the amendment was adopted.

Yeas 76; Nays 7.

*Yeas:*

Mr. Speaker, Albright, Andrews, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hines,

Holley, Holmes, Howard, Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lutz, McMillan, Malone, Martin, Merrill, Mitchem, Moore (O), Moore (W), Pegues, Quarles, Rich, Riddick, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Taylor, Teague, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

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*Nays:*

Messrs.: Armstrong, Lockett, McCluskey, McNair, Morris, Roberts and Tucker.

—7

Mr. Lutz offered the following amendment to the bill, S. 400 as amended:

Amend the substitute to S. B. 400, Section 4-113, line 40 by striking the words "Madison and Montgomery Counties" and inserting the words "Montgomery County" and by inserting the word "Madison" on line 37 after the word "Baldwin."

And the amendment was adopted.

Yeas 94; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Andrews, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, McCluskey, McMillan, McNair, Malone, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

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Mr. Killian offered the following substitute to the bill, S. 400 as amended:

A BILL  
TO BE ENTITLED  
AN ACT

To implement the new Judicial Article of the Alabama Constitution (Amendment No. 328 approved December 18, 1973); by establishing a unified judicial system for the state; by establishing a new state court of limited jurisdiction to be known as the District Court of Alabama, having uniform jurisdiction, procedures and costs; by authorizing the establishment of municipal courts having uniform jurisdiction, procedures and costs; by amending various sections of the Alabama Code of 1940 and subsequent statutes as required to make effective the unified judicial system. The contents of this Act are organized as follows:

The judicial authority of the state is vested in a unified system; amending Section 1 of title 13 of the Code of Alabama, 1940; to reflect constitutional provisions.

The jurisdiction of the circuit court and powers of presiding circuit judges are described with amendments to the Code of Alabama reflecting the new court structure; presiding circuit judge has supervision of personnel of circuit and district courts; circuit court has jurisdiction of appeals from municipal and district courts.

Repeals sections 157, 158, 159, 179, 180 and 181 of title 13 of the Code of Alabama, 1940; amends sections 115, 123, 172 of the Code of Alabama, 1940.

The district court established; effective January 16, 1977; civil and criminal jurisdiction; number of judges and places of holding court; election, compensation of district judges; provision for a system of trials; uniform traffic ticket procedure; preliminary hearing jurisdiction; use of magistrates; district attorney responsible for prosecution; provision for a district court within geographic bounds constituting a district, designating places within districts where court must be held; transfer of cases from present county and other courts; jurisdiction of civil cases up to five thousand dollars (\$5,000.00); special docket for small claims up to five hundred dollars (\$500.00); jurisdiction of involuntary commitment cases, if transferred from probate court; jurisdiction of juvenile cases; exclusive criminal jurisdiction in misdemeanor cases except those in municipal courts; authority to receive guilty pleas in all felonies not involving death penalty.

Repeals sections 313, 314, 315-341, 345, 346, 349 and 384-406 of title 13 of the Code of Alabama, 1940; repeals Act No. 764, approved September 17, 1953; and Act No. 535, approved January 1, 1954.

Jurisdiction of juvenile cases placed in district court; civil, criminal and delinquency procedures and rules regarding juveniles established; age of juveniles revised; appointment of referees; probation services; advisory boards; scope of jurisdiction; delinquency, custody, commitment, child abuse, offenses against children, paternity, desertion and non-support; investigations and complaints; court custody, detention and shelter care; transfer to criminal court; right to counsel; disposition of neglected and delinquent children; guardians ad litem; confidentiality of records; adult offenses; and appeals.

Establishment of municipal courts with uniform jurisdiction, procedures and costs; procedures for abolition of municipal courts by municipalities, transfer of jurisdiction to district court, and apportionment of fines; procedures for re-establishment of municipal courts; appointment and qualification of municipal judges; bail on personal recognizance, fines, jail, suspended sentence, probation; appeals to circuit court; arrest and search warrants; and use of magistrates.

Repeals sections 582-600 of title 37 of the Code of Alabama, 1940; repeals Act No. 403, approved August 16, 1965; Act No. 665, approved September 6, 1961; and Act No. 1108, approved September 12, 1969.

Provides for severability of provisions of Act in proper case; repealer of existing laws inconsistent with Act; and establishes effective date of Act.

Be It Enacted by the Legislature of Alabama:

#### Article 1. JUDICIAL POWER.

1-101. Section 1 of Title 13 of the Code of Alabama, 1940, entitled "Judicial power," is amended to read as follows:

"§1. Judicial power.—The judicial power of the state is vested exclusively in a unified judicial system which shall consist of a supreme

court, a court of criminal appeals, a court of civil appeals, a trial court of general jurisdiction known as the circuit court, a trial court of limited jurisdiction known as the district court, a probate court and such municipal courts as may be provided by law. The courts herein described shall have all authority heretofore provided by law except as changed in this Act and shall continue to have all authority as heretofore provided by rule."

## Article 2. CIRCUIT COURT.

2-101. Section 115 of Title 13 of the Code of Alabama, 1940, entitled "Providing for regular or special sessions of the court," is amended to read as follows:

"§115. Providing for regular or special sessions of the court.—The presiding circuit judge of each circuit court shall provide, by written direction to the circuit clerk, for the holding of regular or special sessions of the court; provided, that nothing herein contained shall be construed to prevent the transaction of business by the court at times when the court is not in session."

2-102. Section 123 of Title 13 of the Code of Alabama, 1940, entitled "Session defined," is amended to read as follows:

"§123. Session defined.—The word 'session' of court when used in this Code means any period of time fixed by the presiding judge of the court for the trial of cases or the transaction of any other business, unless the context clearly indicates to the contrary."

2-103. Section 172 of Title 13 of the Code of Alabama, 1940, entitled "Presiding judge has supervision of judges and other officers," is amended to read as follows:

"§172. Presiding judge has supervision of judges and other officers.—The presiding circuit judge shall exercise a general supervision of the judges, clerks, registers, court reporters, bailiffs and sheriffs, and other court employees of the circuit and district courts within the circuit, and see that they attend strictly to the prompt, diligent discharge of their duty."

2-104. Jurisdiction of the circuit court as of January 16, 1977.—Upon initiation of the district court on January 16, 1977, the circuit court shall have the following jurisdiction:

(a) Civil. The circuit court shall have exclusive original jurisdiction of all civil actions in which the matter in controversy exceeds five thousand dollars (\$5,000.00) and shall exercise original jurisdiction concurrent with the district court in all civil actions in which the matter in controversy exceeds five hundred dollars (\$500.00) exclusive of interest and costs.

(b) Criminal. The circuit court shall have exclusive original jurisdiction of all felony prosecutions and of misdemeanor or ordinance violations which are lesser included offenses within a felony charge or which arise from the same incident as a felony charge, except that the district court shall have concurrent jurisdiction with the circuit court to receive pleas of guilty in felony cases not punishable by sentence of death. The circuit court may, on conviction of a defendant, upon a showing of inability to make immediate payment of fine and costs continue the case from time to time to permit the fine and costs to be paid by partial payments.

(c) Appellate. The circuit court shall have appellate jurisdiction of civil, criminal and juvenile cases in district court and prosecutions

for ordinance violations in municipal courts except in cases in which direct appeal to the courts of civil or criminal appeals is provided by law or rule. Appeals to circuit court shall be tried de novo with or without a jury as provided by law.

(d) Contempts. The circuit court may punish contempts by fines not exceeding one hundred dollars (\$100.00) and by imprisonment not exceeding five days. The power of the circuit court to enforce its orders and decrees by determinations of civil contempt shall be unaffected by this section.

(e) General. The circuit court shall have such other powers as may be provided by law.

2-105. Presiding judges; how selected.—The presiding judge of a circuit shall be elected by majority vote of circuit judges in the circuit. In the event of the failure of any judge to receive a majority vote, the supreme court shall provide by rule for selection of the presiding judge. Provided, however, the provisions in Title 13, Section 125, subsection 133, relating to the 9th Judicial Circuit shall remain in full force and effect.

2-106. Transfer of cases between circuit court and district court.—If a case filed in the circuit court is within the exclusive jurisdiction of a district court or a case filed in the district court is within the exclusive jurisdiction of the circuit court, the circuit clerk or a judge of the court where the case was filed shall transfer the case to the docket of the appropriate court, and the clerk shall make such cost and docket fee adjustments as may be required and transfer all case records. This section does not apply to cases filed in the circuit court prior to January 16, 1977.

2-107. Involuntary commitment proceedings.—Except as provided in article 5 of this act, involuntary commitment proceedings, primarily cognizable before the probate courts, may be transferred to circuit court for adjudication on motion of a party to the proceeding in probate court, according to rules governing transfer of these proceedings. Probate court offices shall maintain records of all commitment proceedings.

2-108. Express repealer.—

(a) The following sections of Title 13 of the Code of Alabama, 1940, are hereby expressly repealed: Section 157, entitled "Presiding judge; how determined in circuits having two judges;" Section 158, entitled "Presiding judge in circuits having three judges;" Section 159, entitled "How judges designated in circuits of one county having more than three judges;" Section 179, as amended, entitled "Expenses of circuit judge when holding court outside his circuit;" Section 180, entitled "Statement of expenses filed with chief justice;" Section 181, as amended, entitled "Form of statement."

(b) Act No. 530, approved August 21, 1969 (Section 125 [90g] of Title 13 of the Recompiled Code) is hereby expressly repealed.

Article 3. PROBATE COURT.

Article 4. DISTRICT COURT.

4-101. Establishment of district courts, abolition of courts of the respective counties; location of district courts; transition, preservation of pending actions and existing judgments.—

(a) Establishment. The district court of Alabama, a trial court of limited jurisdiction, is created and established, effective January 16,

1977, and shall be subdivided according to districts and may be styled the district court of the county.

(b) Location. Sessions of the district court shall be held in each county seat, each municipality containing a population of 1000 or more where no municipal court exists, and at other locations within counties in which geographical venue, as described in section 4-107 of this article, lies in more than one place.

(c) Transition. All courts which are not authorized by Article 6 of the Constitution shall retain their power through January 15, 1977, at which time they shall be abolished. Judgments of courts which cease to exist at the end of that day shall continue in effect and the courts of the unified system are vested with jurisdiction to enforce such judgments.

All cases then pending in courts which cease to exist shall be transferred to the appropriate district or circuit court. Cases which could be filed in district court under the provisions of this article shall be transferred to the district court; provided, that any case containing a demand for a jury trial filed before January 15, 1977, which could have been granted in the court where filed, shall be transferred to the appropriate circuit court.

4-102. General civil jurisdiction.—The original civil jurisdiction of the district court of Alabama shall be uniform throughout the state, concurrent with the circuit court, except as otherwise herein provided, and include all civil actions in which the matter in controversy does not exceed five thousand dollars (\$5,000.00), and over civil actions based on unlawful detainer except that the district court shall not exercise jurisdiction over the following matters:

(a) actions seeking equitable relief other than:

(1) equitable questions arising in juvenile cases within the jurisdiction of the district court; and

(2) equitable defenses asserted or compulsory counterclaims filed by any party in any civil action within the jurisdiction of the district court;

(b) any actions enumerated in Rule 81 of the Alabama Rules of Civil Procedure other than:

(1) actions based in negligence against municipalities;

(2) actions seeking substitution of lost or destroyed records or instruments;

(3) summary motion proceedings; or

(4) relieving disabilities of non-age;

(c) actions seeking declaratory judgments; and

(d) appeals from probate or municipal courts.

4-103. Small claims cases.—The district court shall exercise exclusive jurisdiction over all civil actions in which the matter in controversy, exclusive of interest and costs, does not exceed five hundred dollars (\$500.00). These actions shall be placed on a small claims docket by each district court and shall be processed according to uniform rules of simplified civil procedure as may be promulgated by the supreme court.



4-104. Juvenile jurisdiction.—Juvenile jurisdiction shall be exercised concurrently by the district court and the circuit court as provided by law.

4-105. Adoption transfer jurisdiction; record of proceedings.—Adoption proceedings, primarily cognizable before the probate courts, may be transferred to district court on motion of a party to the proceeding in probate court. Probate court offices shall maintain records of all adoption proceedings.

4-106. Criminal jurisdiction.—

(a) Misdemeanors. The district court shall have exclusive original trial jurisdiction over prosecutions of all offenses defined by law or ordinance as misdemeanors, except:

(1) prosecutions by municipalities having municipal courts; and

(2) any such prosecution which also involves a felony offense which is within the exclusive jurisdiction of the circuit court, except as the district court is empowered to hold preliminary hearings with respect to felonies and to receive guilty pleas as provided in subsection (b) of this section.

(b) Pleas and dispositions. The district court may exercise original jurisdiction concurrent with the circuit court to receive pleas of guilty in prosecutions of offenses defined by law as felonies not punishable by sentence of death. In disposing of these and other cases within its criminal jurisdiction, the district court may impose and suspend sentences, place criminal defendants on probation, remit fines and court costs, and release defendants on personal recognizance in accordance with standards prescribed by law or rule; provided further that the court may enter an order authorizing the defendant to drive under the conditions set forth in the order.

(c) Defendant's bond for fine and costs. The district court may, on conviction of a defendant, upon a showing of inability to make immediate payment of fine and costs, continue the case from time to time to permit the fine and costs to be paid by partial payments.

(d) Extradition. The district court may exercise jurisdiction over proceedings relating to demands for extradition made by another jurisdiction pursuant to the laws of Alabama governing extradition.

(e) Traffic offenses.

(1) Definition. A "traffic infraction" is any violation of a statute, ordinance or regulation relating to the operation or use of motor or other vehicles or use of streets and highways by pedestrians.

(2) Jurisdiction. The district court shall have exclusive original jurisdiction of misdemeanor prosecutions for traffic infractions, except ordinance infractions prosecuted in municipal courts.

(3) Uniform traffic ticket and complaint.

(A) Every law enforcement agency in the state shall use traffic citations of the form known as the uniform traffic ticket and complaint, which shall be substantially uniform throughout the state and which shall be issued in books with citations in no less than quadruplicate.

(B) The uniform traffic ticket and complaint shall be used in traffic cases, where a complaint is made by a law enforcement officer or by any other person, or an information is filed by the district attorney.

(C) The judge or judges and the clerk of the district court shall designate personnel to be responsible for accounting for all uniform traffic tickets and complaints issued to law enforcement officers or others in his or their jurisdiction and for the proper disposition of the forms and shall cause to be prepared records and reports relating to the uniform traffic tickets and complaints in the manner and at the time as may be prescribed by rule of the supreme court.

(D) No law enforcement officer or other officer or public employee shall dispose of a uniform traffic ticket and complaint or any portion thereof or the record of issuance thereof in a manner other than as required under rules or regulations promulgated pursuant to this subsection. Any person who solicits or aids in the disposition, or attempted disposition, of a uniform traffic ticket or summons or any portion thereof in any unauthorized manner is subject to the criminal contempt power of the district or municipal court.

(4) Summary disposition of minor traffic infractions. Pursuant to the provisions of subsection (g) relating to magistrates, magistrates may receive pleas of guilty in traffic infraction prosecutions, but may not receive pleas in matters involving:

(A) violations resulting in personal injury;

(B) operation of motor vehicle while intoxicated;

(C) reckless driving;

(D) felonies or indictable offenses;

(E) operation of motor vehicles without operator's license or while license is suspended or revoked; or

(F) a defendant convicted of two or more previous traffic offenses in the preceding twelve months.

(5) Fines. Schedules of fines to be imposed for traffic infractions shall be established by law or rule. The manner in which fines and costs shall be paid to and accounted for by personnel assigned to accept payment shall be provided by administrative rule.

(f) Preliminary hearings. The district court shall exercise exclusive jurisdiction to hold preliminary hearings in prosecutions for felonies. A preliminary hearing determination by the district court finding no probable cause shall not be res judicata with respect to the issue of probable cause and the state shall not be barred from proceeding further. Every person charged with and arrested for a felony before his indictment shall have an absolute right to a preliminary hearing on said charge upon such person's demand within thirty (30) days following said arrest; provided, however, that such person's failure or refusal to appear from such preliminary hearing or his absence from the state at the time of the setting for the preliminary hearing shall not delay or invalidate an indictment pursuant to said charge.

(g) Magistrates.

(1) District court administrative agency. The district court will have under its supervision a district court administrative agency empowered to provide expeditious service in connection with administrative adjudication of minor misdemeanors; the handling of uniform traffic tickets and complaints; the issuance of warrants; certain juvenile justice functions, as otherwise provided by this act; and other powers provided by law. The personnel designated by the judge or judges of the district court for the accounting of uniform traffic tickets or com-

plaints, magistrates and referees in juvenile cases shall be considered as officials of such administrative agency. Such officials are vested with judicial power reasonably incident to the accomplishment of the purposes and responsibilities of the administrative agency; provided, however, that the clerk of the district court shall have responsibility for administration of said clerk's office.

(2) Magistrates. The magistrates shall be considered the chief officers of such administrative agency. The supreme court may, by rule, prescribe procedures for the appointment of magistrates by class or position. In addition thereto, the supreme court may provide for the appointment of other magistrates by the administrative director of courts, upon recommendation and nomination by the district judges under whom such magistrates are to serve. The powers of a magistrate shall be limited to:

(A) issuance of arrest warrants, and where such magistrate is licensed to practice law in Alabama, search warrants;

(B) granting of bail in minor misdemeanor prosecutions;

(c) receiving of pleas of guilty in minor misdemeanors where a schedule of fines has been prescribed by rule;

(D) accountability to the district court for all uniform traffic tickets and complaints, monies received and records of offenses; and

(E) such other authority as may be granted by law.

(3) Rules of administration; bonding. The supreme court shall provide rules of administration for such administrative agency, including the bonding of all officials who will be handling money.

4-107. Venue. Venue in the district court lies in the county where venue would lie for civil or criminal actions brought in the circuit court except:

(a) in counties where venue has lain within an area of lesser geographic extent than the county for any categories of cases which were on December 18, 1973, within the jurisdiction of a court inferior to the circuit court, venue lies in such lesser geographic area;

(b) venue of prosecutions for violations of municipal ordinances shall be in the district court sitting in the municipality, or if none, the district court within the county and nearest to the municipality;

(c) if any action is filed in a court located where venue does not lie, any party may move to transfer the action to a location where venue may properly be laid; and

(d) additional locations for purposes of court sites may be designated by the administrative director of courts to serve the best interest and administration of justice.

4-108. Rules of civil procedure.—The Alabama Rules of Civil Procedure shall be applicable to all civil actions brought in the district court except as they are inconsistent with this article and except as the supreme court may otherwise provide by rule.

4-109. Trials.—All cases in the district court shall be tried by the judge, who shall determine all issues of law and fact without a jury.

4-110. Court of record.—

(a) The district court is a court of record.

(b) Records of proceedings shall be made, maintained and preserved according to rules promulgated by the supreme court, but neither reports nor transcripts of proceedings shall be required except as provided by law or rule.

(c) Any party may employ a reporter or provide for a transcript of the proceedings on his own account.

#### 4-111. Appeals.—

(a) Civil cases. Any party may appeal from a final judgment of the district court in a civil case by notice filed in the district court within fourteen days from the date of the judgment or the denial of a post-trial motion, whichever is later, together with security for costs as required by law or rule.

(b) Criminal cases. A defendant may appeal from a final judgment in a criminal case by filing notice, together with any bond required by law or rule within fourteen days from the date of judgment or the date of denial of post-trial motion, whichever is later. The state or a municipality may appeal only from a judgment holding a statute or ordinance invalid.

(c) To circuit court. Except as provided in paragraph (d) of this section and in section 5-152 (d) of this Act, all appeals from final judgments of the district court in criminal cases shall be to the circuit court, for trial de novo. An appellant shall not be entitled to a jury trial in circuit court unless it is demanded in the notice of appeal, and an appellee shall have no right to a jury trial unless written demand is filed in circuit court within fourteen days of service upon him of notice of appeal.

(d) To appellate courts. Appeals in both civil and criminal cases shall be direct to the appropriate appellate court:

(1) If an adequate record or stipulation of facts is available and the right to a jury trial is waived by all parties entitled thereto; or

(2) if the parties stipulate that only questions of law are involved and the district court certifies the questions.

(e) Bonds on appeal. A supersedeas bond in twice the amount of the judgment shall be required of the appellant in any civil appeals to the circuit court. Upon the filing of such supersedeas bond, and the timely filing of notice of appeal, execution of the judgment shall be stayed pending final judgment on appeals. The supreme court may by rule require posting of bonds for costs in appeals.

4-112. Writs.—The district court may issue all writs necessary to preserve and enforce its jurisdiction and authority.

#### 4-113. Election of district judges.—

(a) Boundaries of district court; primary duty to serve. District court boundaries, for the purpose of election of district court judges, shall be coterminous with county boundaries unless otherwise provided herein in subsection (b); provided, that the geographic area for the purpose of election of district court judges shall not alter or modify venue for actions in the district court as otherwise provided by law. Judges shall have a primary duty to serve the district to which they are elected.

(b) Distribution. Each county shall constitute a district and shall have one (1) resident district judge except:

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(1) Baldwin, Etowah, Morgan, and Talladega Counties shall each have two (2) resident district judges;

(2) Madison and Montgomery Counties shall each have three (3) resident district judges;

(3) Mobile County shall have four (4) resident district judges;

(4) Jefferson County shall have twelve (12) resident district judges who shall be nominated and elected in the manner provided by law for the nomination and election of circuit judges in the county. Three of such district judges shall serve in the Bessemer division and nine shall serve in the Birmingham division;

(5) Lowndes, Butler and Crenshaw Counties shall constitute a district and shall have two (2) resident district judges; both being elected and running at large from the counties;

(6) Bibb and Hale Counties shall constitute a district and shall have one (1) resident district judge who shall be elected and run at large from both counties;

(7) Chambers and Randolph Counties shall constitute a district and shall have one (1) resident district judge who shall be elected and run at large from both counties;

(8) Calhoun and Cleburne Counties shall constitute a district and shall have three (3) resident district judges; each being elected and running at large from the counties;

(9) Greene, Sumter and Marengo Counties shall constitute a district and shall have two (2) resident district judges; both judges being elected and running at large from the counties; and

(10) Coosa and Clay Counties shall constitute a district and shall have one (1) resident district judge who shall be elected and run at large from both counties.

(c) Commissioned judges.

(1) Notwithstanding the number of judges authorized for each district by subsection (b) above, additional district judges may be commissioned in any district where the number of judges entitled by the Constitution to receive commissions as district judges exceeds the number of positions authorized for the district; provided, that all commissions so issued shall expire on the first Monday after the second Tuesday in January following the next general election after completion of three years in office as a district judge.

(2) Judges seeking commissions pursuant to the Constitution must file a request for such commission with the secretary of state ten months prior to the date of the general election preceding the initiation date of the district court.

(3) If no judge files a request pursuant to paragraph (2) above, and if, after judges requesting commissions have been assigned to the judgeships established by subsection (b) above, and any of the positions authorized for each district remain unfilled, these positions shall be filled at the general election prior to the initiation date of the district court.

(4) If a judge, who filed a request pursuant to paragraph (2) above and has been designated to receive a commissioned term, or has been elected as provided in subsection (d) of this section, dies, or becomes

disqualified prior to the initiation date of the district court, or is otherwise unable to assume office and such death, disability, or refusal to serve occurs at such a time that the judicial office created in subsection (b) cannot be filled prior to the initiation date of the district court, a vacancy shall be created in each such case. Any vacancy which exists upon the initiation date of the district court shall be filled as provided by law.

(d) Election. Each district judge, except for judges filling positions pursuant to subsection (c) above, shall be elected for a term of six years by the qualified voters of the district which he is to serve. In district with more than one district judge, each position shall be numbered and designated on primary and general election ballots.

(e) Qualifications. Candidates seeking to be elected as a district court judge shall be licensed to practice law in this state and shall file all necessary documents of qualification with the secretary of state as provided by law.

(f) Residence. Each district judge must have resided in the district from which he is elected, appointed or commissioned for at least twelve (12) months preceding his election or appointment and must reside in such district during his continuance in office.

4-114. Salary of district judges.—Each district judge shall be compensated by the state at a salary of twenty-two thousand five hundred (22,500) dollars. Provided, however, that district judges serving one county, in those counties in which county courts, general sessions courts, and other courts of inferior jurisdiction (except municipal courts) exist on the effective date of this act, shall each receive a supplemental salary from the general fund of such counties in any amount sufficient to maintain their total salaries at the same relationship which the salaries of the judges of said courts of inferior jurisdiction bear on the effective date of this act to salaries of circuit judges in their respective counties.

4-115. Vacancy filled by circuit judge.—In the event that a vacancy occurs in the judicial office of the district court, the presiding judge of the circuit shall designate a district or circuit judge (including himself) within the circuit to serve as the district court judge for the duration of such vacancy.

4-116. Supervision of district court.—The presiding judge of each circuit shall have general supervision of the administrative operation of the district courts within the circuit, subject to rules of the supreme court and the administrative authority of the chief justice.

4-117. District court prosecutions.—

(a) Administration. The district attorney of the circuit in which a district court is located shall have administrative responsibility for prosecutions in the district court, except municipalities retaining municipal courts shall furnish prosecutorial services in such courts and in appeals from such judgments and orders.

(b) County solicitors. On the initiation date of the district court, the functions of the position of county solicitor shall be performed by assistant district attorneys and the office of county solicitor shall be abolished. County solicitors serving terms to which they have been elected prior to the initiation date may elect to become assistant district attorneys for the duration of their electoral terms without diminution of salary or expense payments.

(c) Personnel. The district attorney may appoint full-time or part-time assistant district attorneys to perform prosecutorial duties in

the district courts within the circuit for which the district attorney shall have administrative responsibility. The number and compensation of such assistant district attorneys shall be as otherwise authorized or provided by law.

4-118. Continuation of financial support by counties from January 16, 1977 through September 30, 1977.—

(a) All counties shall continue, from January 16, 1977 through September 30, 1977, to support court services within their respective counties at not less than the same level of expenditures for such court services during the fiscal year ending September 30, 1976; provided, that the county level of expenditure for court services may be decreased to the extent and for individual items, formerly paid by the county, assumed by the state on January 16, 1977.

(b) All authorized appropriations for court services of any kind, including but not limited to county solicitors, assistant district attorneys and other prosecution and defense expenses, in effect on January 15, 1977, for county courts to be abolished and replaced by district courts and for circuit courts shall continue to be provided by the counties from January 16, 1977 through September 30, 1977, for district and circuit court services.

4-119. Contempts.—In all matters before the district court, the district court or judges thereof shall have and possess power to punish for contempts as heretofore or hereafter granted to the circuit courts by law, in Title 13, Section 143, of the Code of Alabama or otherwise, and by the common law of this state.

4-120. Express repealer.—

(a) The following sections of Title 13 of the Code of Alabama, 1940, are hereby expressly repealed: Section 313, entitled "Probate judge ex-officio judge of county court; official oath;" Section 314, entitled "Compensation of judge;" Section 315, entitled "Clerks of circuit courts are ex-officio clerks;" Section 316, entitled "Fees of clerks;" Section 317, entitled "Bond of clerks;" Section 318, entitled "Deputy clerk; when provided;" Section 319, entitled "not applicable where clerk receives salary;" Section 320, entitled "Terms attended by sheriff, etc.; his fees;" Section 321, entitled "Jurisdiction of county courts;" Section 322, entitled "Monthly terms held;" Section 323, entitled "Forfeiture for failing to hold county court; how recovered;" Section 324, entitled "Regular and special terms in cities or towns mentioned;" Section 325, entitled "Courts always open for trial of certain cases;" Section 326, entitled "Trial and proceedings in county courts; mode of appeal;" Section 327, entitled "Warrant of arrest issued by judge or justice on affidavit;" Section 328, entitled "Form of warrant;" Section 329, entitled "By whom warrant executed;" Section 330, entitled "Speedy trial; continuance;" Section 331, entitled "Bail; form of undertaking;" Section 332, entitled "Bail taken by arresting officer;" Section 333, entitled "Subpoenas; by whom issued and executed;" Section 334, entitled "Form of subpoena;" Section 335, entitled "Judgment nisi on default of appearance;" Section 336, entitled "Scire facias thereon;" Section 337, entitled "Judgment final on default;" Section 338, entitled "Remission of forfeiture;" Section 339, entitled "Judgment against defaulting witness;" Section 340, entitled "Alias warrant of arrest or subpoena;" Section 341, entitled "Copy of accusation delivered to defendant on demand;" Section 345, entitled "When judgment for costs against prosecutor;" Section 346, entitled "Jeofails and amendments;" Section 349, entitled "Appeal to circuit court; appeal bond;" Section 384, entitled "No jurisdiction to sentence to hard labor for costs;" Section 385, entitled "Two justices for

each precinct; term of office;" Section 386, entitled "Vacancies; how filled, etc.;" Section 387, entitled "Notice of vacancy;" Section 388, entitled "Bond; by whom approved;" Section 389, entitled "Jurisdiction;" Section 390, entitled "Authority;" Section 391, entitled "Duties;" Section 392, entitled "Removal from precinct vacates office;" Section 393, entitled "Transfer of jurisdiction upon abolition;" Section 394, entitled "Time and place of trial;" Section 395, entitled "How suits commenced; form of summons;" Section 396, entitled "Service of summons;" Section 397, as amended, entitled "In what precinct suit to be brought;" Section 398, entitled "Agreement as to bringing suit in precinct other than where it is authorized, void;" Section 399, entitled "When there are several defendants;" Section 400, entitled "When there is no justice in precinct;" Section 401, entitled "When branch summons may issue;" Section 402, entitled "What circuit court rules applicable;" Section 403, entitled "Set-off and recoupment in such suits;" Section 404, entitled "Judgments in detainee;" Section 405, entitled "Effect of death of either party;" Section 406, entitled "Judgment by default or nil dicit;" Section 407, entitled "Effect of judgment as a bar;" Section 408, entitled "Evidence of judgment;" Section 409, entitled "Completion of unfinished business on vacancy in office;" Section 410, entitled "Taking of depositions and examination of witnesses;" Section 411, entitled "Issue and service of subpoenas;" Section 412, entitled "Service of subpoena in another county;" Section 413, entitled "Fine against defaulting witness;" Section 414, entitled "Attendance, how enforced, liability;" Section 415, entitled "Fees to witnesses;" Section 416, entitled "Territorial jurisdiction of justices of the peace in criminal matters;" Section 417, entitled "Jurisdiction as to offenses;" Section 418, entitled "Required to keep docket and exhibit it to grand jury; other duties;" Section 419, entitled "Failure of justice to keep and report docket of criminal cases;" Section 420, entitled "Failure of justice, notary or constable to report any pay over fines;" Section 421, entitled "Copy of accusation delivered to defendant on demand;" Section 422, entitled "Forms; same as in county court;" Section 423, entitled "Justice to decide law and facts without jury;" Section 424, entitled "Proceedings when defendant demands trial by jury;" Section 425, entitled "Trial; continuances;" Section 426, entitled "Subpoenas and attachments for witnesses;" Section 427, entitled "Proceedings against defaulting witnesses;" Section 428, as amended, entitled "Appeal to circuit court, appeal bond;" Section 429, entitled "Appeal; how tried;" Section 430, entitled "Attachments returnable before justices;" Section 431, entitled "What provisions applicable;" Section 432, entitled "Form of attachment;" Section 433, entitled "Notice of levy on real estate;" Section 434, entitled "What cannot be attached;" Section 435, entitled "Sale of property attached before judgment;" Section 436, entitled "When property replevied to be delivered; execution on forfeited bond;" Section 437, entitled "Execution for balance of judgment unsatisfied;" Section 438, entitled "What provisions applicable, exception;" Section 439, entitled "Answer to garnishee; evidence on appeal;" Section 440, entitled "Contest of garnishee's answer and collateral issues tried without jury;" Section 441, entitled "Execution for balance of judgment unsatisfied;" Section 442, entitled "Sale of land when garnishee answers indebtedness for purchase money;" Section 443, entitled "Rendered on motion and five days' notice;" Section 444, entitled "Against justices for acting after vacating office;" Section 445, entitled "Against justices for failing to pay over money;" Section 446, entitled "Against constables for acting after vacating office;" Section 447, entitled "Against constables or sheriffs for failure to make money;" Section 448, entitled "Against constables or sheriffs for failure to pay over money;" Section 449, entitled "Against constables or sheriffs for failure to execute summons;" Section 450, entitled "Against constables or sheriffs for failure to levy an attachment;" Section 451, entitled "Against constable



or sheriff for failure to make return, or for making false return;" Section 452, entitled "In favor of constables or sheriffs in indemnity bond;" Section 453, entitled "Venue of motion; judgment against surety;" Section 454, entitled "Limitation of certain motions;" Section 455, entitled "When motion made in circuit court;" Section 456, entitled "Issue and return of executions;" Section 457, entitled "Form of execution;" Section 458, entitled "When may be issued immediately;" Section 459, entitled "When execution may be stayed;" Section 460, entitled "Execution to another county;" Section 461, entitled "By whom executed;" Section 462, entitled "Lien of execution;" Section 463, entitled "Order of payment of several executions against same defendant;" Section 464, entitled "When indemnity may be required;" Section 465, entitled "Forthcoming bond, effect of;" Section 466, entitled "Execution issues on forfeiture of bond; no stay allowed;" Section 467, entitled "Proceedings on forfeited bond, when execution issued from another county;" Section 468, entitled "Defects in form do not affect bond;" Section 469, entitled "Time and place of sale of personal property;" Section 470, entitled "Notice of sale;" Section 471, entitled "Levy on land; when made, and proceedings thereunder;" Section 472, entitled "Notice of levy on land;" Section 473, entitled "Sale of land ordered on motion;" Section 474, entitled "Record and writ for sale of land;" Section 475, entitled "Issue of alias execution without revival;" Section 476, entitled "When scire facias necessary; bar to revival or judgment;" Section 477, entitled "Appeals from judgments before justices or courts of like jurisdiction;" Section 478, entitled "Bond for appeal of certiorari;" Section 479, entitled "Amount of bond for appeal or certiorari;" Section 480, entitled "Papers and statement of the case to be returned to the clerk;" Section 481, entitled "Notice of appeal to be served on appellee;" Section 482, entitled "How notice served when appellee moves out of the county;" Section 483, entitled "Defects in bond may be cured;" Section 484, entitled "When and how cases on appeal shall be tried;" Section 485, entitled "Attachments; what defects cured by appeal;" Section 486, entitled "What case tried without a jury;" Section 487, entitled "Damages assessed if appeal taken for delay;" Section 488, entitled "Costs; how taxed;" Section 489, entitled "On affirmance judgment rendered also against sureties;" Section 490, entitled "Procedendo, when and how issued;" Section 491, entitled "Procedendo, when justice vacates office pending appeal;" Section 492, entitled "How judgment in such case established when docket has been lost;" Section 493, entitled "Blanks furnished justices of the peace by probate judges;" Section 494, entitled "Payment for blanks, by commissioners' courts;" Section 495, entitled "Forms for justices of the peace in civil proceedings;" Section 496, entitled "Forms applicable to criminal proceedings before justice of peace."

(b) The following acts are sections of acts are hereby expressly repealed: Act No. 764, approved September 17, 1953 (Section 428[1] of Title 13 of the Recompiled Code); and Act No. 535, approved January 1, 1954 (Sections 497-505 of Title 13 of the Recompiled Code.)

#### Article 5. JUVENILE PROCEEDINGS.

5-101. Definitions.—As used in this article:

(a) "adult" means an individual 19 years of age or older;

(b) "aftercare" means such conditions and supervision as the court orders after release of legal custody;

(c) "child" prior to January 1, 1978, means an individual under the age of 17; or under 19 years of age who committed the act of delinquency with which he is charged before reaching the age of 17 years. After December 31, 1977, "child" means an individual under the age of

18; or under 19 years of age and who committed the act of delinquency with which he is charged before reaching the age of 18 years;

(d) "child in need of supervision" means a child who:

(1) being subject to compulsory school attendance, is habitually truant from school; or

(2) disobeys the reasonable and lawful demands of his parents, guardian or other custodian and is beyond their control; or

(3) has committed an offense established by law but not classified as criminal or one applicable only to children; and

(4) in any of the foregoing is in need of care or rehabilitation;

(e) "commit" means to transfer legal and physical custody;

(f) "consent decree" means an order, entered after the filing of a delinquency petition and before the entry of an adjudication order, suspending the proceedings and continuing the case of the child under supervision in the child's own home, under terms and conditions agreed to by all parties concerned;

(g) "court" or "juvenile court" means the juvenile division of the district court or the juvenile division of the circuit court as established by this Act;

(h) "delinquent act" means an act designated a crime under the law of this state, or of another state if the act occurred in another state, or under federal law, or a violation of a municipal ordinance; however, traffic offenses committed by one 16 years of age or older shall be excepted unless transferred to the juvenile court by the court having jurisdiction;

(i) "delinquent child" means a child who has committed a delinquent act and is in need of care or rehabilitation;

(j) "dependent child" means a child:

(1) who, for any reason is destitute, homeless, or dependent on the public for support; or

(2) who is without a parent or guardian able to provide for his support, training or education; or

(3) whose custody is the subject of controversy; or

(4) whose home, by reason of neglect, cruelty, or depravity, on the part of his parent, parents, guardian, or other person in whose care he may be, is an unfit and improper place for him; or

(5) whose parent, parents, guardian, or other custodian neglects or refuses, when able to do so or when such service is offered without charge, to provide or allow medical, surgical or other care necessary for such child's health or well being; or

(6) who is in such condition or surroundings or is under such improper or insufficient guardianship or control as to endanger his morals, health, or general welfare; or

(7) who has no proper parental care or guardianship; or

(8) whose parent, parents, guardian or custodian fail, refuse or neglect to send such child to school in accordance with the terms of the compulsory school attendance laws of this state; or

(9) who has been abandoned by his parents, guardian or other custodian; or

(10) who is physically, mentally or emotionally abused by his parents, guardian or other custodian or who is without proper parental care and control necessary for his well-being because of the faults or habits of his parents, guardian or other custodian or their neglect or refusal, when able to do so, to provide them; or

(11) whose parents, guardian or other custodian are unable to discharge their responsibilities to and for the child; or

(12) who has been placed for care or adoption in violation of the law; or

(13) who for any other cause is in need of the care and protection of the state; and

(14) in any of the foregoing is in need of care or supervision;

(k) "detention care" means the temporary care of delinquent children or children alleged to be delinquent in secure custody pending court disposition or transfer to a residential facility or further care of a child adjudicated a delinquent, provided, however, that detention care may also include temporary care of children in need of supervision until January 1, 1978;

(l) "guardian ad litem" means a licensed lawyer appointed by a court to defend or represent a child in any suit to which he may be a party;

(m) "intake office" means the office in the probation service or designee of the judge with the duty of primary contact with the law enforcement agency and complainants of children coming under the jurisdiction of the court;

(n) "judge" means judge of the juvenile court as prescribed by this article;

(o) "law enforcement officer" means any person, however denominated, i.e., constable, sheriff or police officer, who is authorized by law to exercise the police powers of the state or local governments;

(p) "legal custodian" means a person, agency or department other than a parent or legal guardian, to whom legal custody of the child has been given by court, or who has been given legal custody by court order, or who is acting in loco parenti;

(q) "legal custody" means a legal status created by court order which vests in a custodian the right to have physical custody of the child and to determine where and with whom he shall live within the state, and the right and duty to protect, train and discipline him and to provide him with food, shelter, clothing, education and ordinary medical care, all subject to the powers, rights, duties and responsibilities of the guardian of the person of the child and subject to any residual parental rights and responsibilities. An individual granted legal custody shall exercise the rights and responsibilities personally unless otherwise authorized by the juvenile court;

(r) "minor" means an individual who is under the age of 19 years and is not a "child" within the meaning of this article;

(s) "probation" means the legal status created by court order following an adjudication of delinquency or in need of supervision whereby a child is permitted to remain in a community subject to supervision and

return to court for violation of probation at any time during the period of probation;

(t) "protective supervision" means a legal status created by court order following an adjudication of dependency whereby a child is permitted to remain in his home subject to supervision, and to return to the court for violation of protective supervision at any time during the period of protective supervision;

(u) "residential facility" means a dwelling, other than a detention or shelter care facility, providing living accommodations, care, treatment and maintenance for children, including institutions, foster family homes, group homes, halfway houses, forestry camps, and where not operated by a public agency, is licensed or approved to provide such care;

(v) "residual parental rights and responsibilities" means those rights and responsibilities remaining with the parent after the transfer of legal custody or guardianship of the person, including but not necessarily limited to the right of visitation, consent to adoption, the right to determine religious affiliation, and the responsibility for support;

(w) "shelter care" means the temporary care of children in group homes, foster care or other non-penal facilities;

(x) the singular includes the plural, the plural the singular, the masculine the feminine, and the feminine the masculine, when consistent with the intent of this article.

5-102. Juvenile court; power and authority.—The circuit court and the district court shall exercise original concurrent juvenile jurisdiction sitting as the juvenile court. The juvenile court shall keep a docket which shall be separate and distinct from any other docket kept in said court, and the orders and decrees of the court relating to such cases shall be entered in a separate minute book. The Supreme Court shall promulgate rules governing procedure in the juvenile court. Juvenile court shall have full power and authority to issue all writs and processes necessary to the exercise of such jurisdiction and to carrying out of the purposes of this article. The judge of the court shall have power to issue writs of arrest and a habeas corpus to have brought before the court children alleged to be dependent, delinquent or in need of supervision, to be dealt with by said court under the terms of this article. The court shall have and exercise the jurisdiction and equity power possessed by courts in this state.

5-103. Juvenile judge; assignments; powers and duties.—

(a) The judge of the district court shall serve as the juvenile court judge in those districts having only one district judge; in those districts having more than one district court judge, the presiding circuit court judge shall designate from time to time a district court judge or circuit court judge who shall serve as the judge hearing juvenile cases. The presiding judge of every judicial circuit shall have the power to assign a circuit judge to hear all juvenile matters as an ex-officio district court judge whenever such an assignment is deemed necessary and desirable. Any circuit judge so assigned to duty in the district court may, on motion of any party or on his own motion, transfer those cases over which he is assigned to the circuit court docket.

(b) It is the duty of the judges of the juvenile courts to make on or before the tenth day of each month a report upon the work of the juvenile courts presiding over by them. All reports required by this section shall be made in compliance with rules of procedure promulgated by the supreme court.

5-104. Appointment of referees; duties.—

(a) The judge may appoint one or more persons to serve as referees on a full- or part-time basis subject to approval of the administrative director of courts. Referees shall be licensed to practice law in this state; provided that referees serving as such for ten or more years on the effective date of this Act will not be required to be members of the bar of this state.

(b) The judge may direct that hearings in any case or class of cases be conducted in the first instance by a referee unless:

(1) the hearing is one to determine whether a case shall be transferred for criminal prosecution; or

(2) a party objects to the hearing being held by a referee.

(c) Upon the conclusion of a hearing before a referee, he shall transmit in writing his findings and recommendations for disposition to the judge. Written notice of the findings and recommendations together with copies thereof shall be given to the parties to the proceeding. The written notice shall also inform them of the right to a rehearing before the judge.

(d) A rehearing before the judge may be ordered by the judge at any time and shall be ordered if any party files a written request therefor within 14 days after receipt of the referee's written notice. Upon rehearing, when adequate records have been kept in the proceedings before the referee, the court shall review the record and, in the discretion of the judge, may admit new evidence. If the referee has not kept adequate records, the rehearing shall be de novo.

(e) If a hearing before the judge is not requested, or ordered, or the right thereto is waived, the findings and recommendations of the referee, if confirmed by an order of the judge, or as modified by the judge, shall become the decree of the court.

5-105. Probation services; appointment of probation officers; powers and duties; duties of department of pensions and security.—

(a) The court may appoint one or more probation officers as otherwise authorized by law, certified by the department of youth services, who shall serve at the pleasure of the court. If more than one probation officer is appointed, one may be designated by the court as the chief probation officer or director of probation services, who shall be responsible for the administration of the probation services under the direction of the court.

(b) For the purpose of carrying out the objectives and purposes of this article and subject to the limitations of this article or imposed by the court, a probation officer shall:

(1) make investigations, reports, and recommendations to the juvenile court;

(2) receive and examine complaints and allegations of delinquency, in need of supervision, or dependency of a child for the purpose of considering the commencement of proceedings under this article;

(3) refer to the department of pensions and security for investigations, reports and recommendations those complaints and allegations of dependency or other appropriate matters, and may refer to the department of pensions and security for investigations, reports and recommendations those complaints on children in need of supervision;

(4) supervise and assist a child placed on probation or in his protective supervision or aftercare by order of the court or other authority of law;

(5) make appropriate referrals to other private or public agencies of the community if their assistance appears to be needed or desirable;

(6) make predisposition studies and submit reports and recommendations to the court as required by this article, except as provided in subsection (b) (3) above;

(7) perform such other functions as are designated by this article or directed by the court.

(c) For the purposes of this article, a probation officer or representative of the department of pensions and security, with the approval of the court, shall have the power to take into custody and place in shelter or detention care a child who is under his supervision as a delinquent, in need of supervision or dependent when the probation officer or representative of the department of pensions and security has reasonable cause to believe that the child has violated the conditions of his probation, aftercare or terms of protective supervision, or that he may flee from the jurisdiction of the court. A probation officer does not have the powers of a law enforcement officer nor may he sign a petition under this article with respect to a person who is not on probation or otherwise under his supervision.

(d) If a probation officer or representative of the department of pensions and security takes a child into custody, he shall proceed as provided for in section 5-120 of this article.

5-106. Advisory board; duties.—

(a) The judge of the juvenile court may appoint not less than five nor more than twenty-five citizens of the district, known for their interest in the welfare of children, who shall serve without compensation, to constitute and be the advisory board of the juvenile court in matters relating to the welfare of children. Such advisory board shall organize by electing such officers and by adopting such by-laws, rules and regulations for its government as it shall deem best for the purposes of this article. Such board shall hold office at the pleasure of the court or of the judge thereof.

(b) The duties of the advisory board shall be as follows:

(1) to assist the court in securing the services of volunteer probation officers when the services of such officers shall be deemed necessary or desirable;

(2) to visit institutions which are charged with caring for children, and whenever practicable, other institutions to which the court, from time to time, may make commitments;

(3) to advise and cooperate with the court upon all matters relating to the welfare of children;

(4) to recommend to the court any and all needful measures for the purpose of carrying out the provisions and intent of this article and to make themselves familiar with the work of the court under this article; and

(5) to make, from time to time, a report to the public of the work of such court.

5-107. District attorney.—The district attorney of the judicial circuit in which the case is pending may exercise his authority in all cases arising under this article. The juvenile court may call upon the district attorney to assist the court in any proceeding under this article. It shall be the duty of such district attorney to render such assistance when so requested. Said district attorney shall represent the state in all cases arising under this article appealed from the juvenile court.

5-108. Jurisdiction; children.—

(a) The juvenile court shall exercise exclusive original jurisdiction of the following proceedings, which are governed by this article:

(1) proceedings in which a child is alleged to be delinquent, dependent, or in need of supervision; and

(2) proceedings involving traffic offenses which have been transferred to the juvenile court pursuant to section 5-112(b) of this article.

(b) The court shall also exercise exclusive original jurisdiction of the following proceedings, which shall be governed by the laws relating thereto:

(1) proceedings to determine custody or to appoint a legal custodian or guardian of the person of a child when the child is otherwise before the court. However, this shall not be construed to deprive other courts of the right to determine the custody or guardianship of the person or children when such custody or guardianship is incidental to the determination of causes pending in those courts. Such courts, however, may certify said questions to the juvenile court for hearing and determination or recommendation;

(2) removal of disabilities of non-age, including judicial consent to marriage, employment or enlistment when such consent is required by law;

(3) proceedings under the interstate compact on juveniles;

(4) proceedings for the commitment of a mentally inferior or feeble-minded child;

(5) proceedings for the adoption of a child when such proceedings have been removed from probate court on motion of any party to the proceedings; and

(6) termination of parental rights.

(c) The court shall have original jurisdiction in proceedings;

(1) (a) concerning any child who is in a situation subjecting him to physical, mental or emotional abuse, or is in clear and present danger of suffering lasting or permanent damage; or

(b) concerning any child who requires emergency medical treatment in order to preserve his life, prevent permanent physical impairment or deformity, or alleviate prolonged agonizing pain; or

(2) where it is alleged that a child's rights are improperly denied or infringed in proceedings resulting in suspension, expulsion or exclusion from a public school.

5-109. Jurisdiction; minors; adults.—The court shall have exclusive original jurisdiction:

(a) to try any minor or adult charged with:

(1) aiding, encouraging, or causing any child to become or remain delinquent, in need of supervision or dependent;

(2) disregarding or failing to obey any lawful order made by the judge of the juvenile court or interfering with the custody of any child under the jurisdiction of the juvenile court;

(3) interfering with the custody of, or removal or attempting to remove any dependent or delinquent child, or one in need of supervision, or one so alleged to be, or any child whose custody is the subject of controversy in said court, or who is in the custody of the court, or of a probation officer or any other officer or person designated by the court as a special officer, or any such child who has been by said court committed to any person, persons, institutions, associations, corporation, agency, department of youth services or department of pensions and security under the terms of this article;

(4) knowingly interfering with, opposing, or otherwise obstructing any probation officer or representative of the department of pensions and security in the performance of his duties under this article; or

(5) any offenses proscribed in sections 5-141(d), 5-142(c), or 5-143(e) of this article;

(b) in proceedings to establish paternity of a child born out of wedlock;

(c) to try any minor or adult charged with desertion and non-support in violation of law; or

(d) in proceedings for the commitment of a mentally ill or mentally retarded minor.

#### 5-110. Retention of jurisdiction.—

(a) For the purposes of this article, jurisdiction obtained by the court in the case of a child shall be retained by it until the child becomes 21 years of age unless terminated prior thereto by order of the judge of the juvenile court. This section shall not be construed to affect the jurisdiction of other courts over offenses committed by the child after he reaches the age of 18 years.

(b) If a minor already under jurisdiction of the court is convicted in a criminal court of a crime committed after the age of 18, the conviction shall terminate the jurisdiction of the juvenile court.

#### 5-111. Venue.—

(a) If delinquency or in need of supervision is alleged, proceedings shall be commenced in the district where the acts constituting the allegation occurred.

(b) If dependency is alleged, proceedings shall be commenced in the district where the child resides or in the district where the child is present when the proceedings are commenced.

#### 5-112. Transfer from other courts.—

(a) If it shall be ascertained during the pendency of a criminal or quasi-criminal charge that a defendant was a child as defined in this article at the time of the alleged offense, that court, which shall have the duty to ascertain such age, shall forthwith transfer the case, together with all the papers, documents, and transcripts of any testimony connected therewith, to the juvenile court. The transferring court shall order that



the juvenile be taken forthwith to the place of detention designated by the juvenile court or to the juvenile court itself, or shall release him to the custody of his parent or guardian or other person legally responsible for him or under his own recognizance to be brought before the court at a time designated by it. The accusatory pleading may serve in lieu of a petition in the juvenile court, unless that court directs the filing of a petition. The juvenile court shall then proceed as provided in this article; all action taken by the court prior to transfer of the case shall be deemed null and void unless the juvenile court transfers under section 5-129.

(b) Any court exercising jurisdiction over traffic offenses may transfer any case involving an alleged traffic offense by a child as defined in this article to the juvenile court for adjudication as an act of delinquency.

5-113. Transfer to another juvenile court within the state.—If the child resides in a district of the state and the proceeding is commenced in a court of another district, that court, on its own motion or a motion of a party may transfer the proceeding to the district of the child's residence for such further action or proceedings as the court receiving the transfer may deem proper. Like transfer may be made if the residence of the child changes pending the proceeding. The proceeding shall be so transferred if the child has been adjudicated delinquent, or in need of supervision, and other proceedings involving the child are pending in the juvenile court of the district of his residence. Certified copies of all legal and social records pertaining to the case shall accompany the transfer.

5-114. Initiation of Cases.—Cases before the court shall be initiated by the filing of a petition by the intake officer who shall receive verified complaints and proceed thereon pursuant to rules of procedure adopted by the supreme court.

5-115. Petitions; who may sign; contents.—

(a) A petition may be signed by any person who has knowledge of the facts alleged or is informed of them and believes that they are true.

(b) A petition shall be entitled, "In the matter of ———, a child", and shall be verified by the person who signs it. The court may request the district attorney or his designated assistant to assist the court in all proceedings. The petition shall set forth with specificity:

(1) the facts which bring the child within the jurisdiction of the court, the facts constituting the dependency, delinquency, or need of supervision, and that the child is in need of supervision, treatment, rehabilitation, care, or the protection of the state, as the case may be;

(2) the name, age, and residence address, if any, of the child on whose behalf the petition is brought;

(3) the names and residence addresses, if known to the petitioner, of the parents, guardian, or custodian of the child. If no parent, guardian or custodian resides or can be found within the state or if their respective places of residence are unknown, the name of any known adult relative residing within the district or, if there be none, the known adult relative residing nearest to the location of the court; and

(4) if the child in custody is delinquent or in need of supervision, the place of his detention and the time he was taken into custody.

(c) When any of the facts hereinabove required are not known, except the facts required by subsection (b)(4), the petition shall so state.

## 5-116. Informal adjustment.—

(a) Before a petition alleging delinquency or in need of supervision is filed, the probation officer or other officer of the court designated by it, subject to its direction, may give counsel and advice to the parties for the purpose of an informal adjustment pursuant to rules of procedure adopted by the supreme court.

## 5-117. Summons.—

(a) After a petition alleging delinquency, in need of supervision, or dependency has been filed, the court shall direct the issuance of summonses; one directed to the child, if the child is 12 or more years of age, and another to the parents, guardian, or other custodian, and such other persons as appear to the court to be proper or necessary parties to the proceedings, requiring them to appear personally before the court at the time fixed to answer or testify as to the allegations of the petition. Where the custodian is summoned, the parent or guardian or both shall also be served with a summons.

(b) A copy of the petition shall be attached to each summons.

(c) The court may endorse upon the summons an order directing the parents, guardian, or other custodian having the custody or control of the child to bring the child to the hearing.

(d) If it appears from affidavit or sworn statement presented to the court that the child needs to be placed in detention or shelter or other care, the court may endorse upon the summons an order that an officer serving the summons shall at once take the child into custody and take him to the place of detention or shelter or other care designated by the court.

(e) A party, other than the child, may waive service of summons by written stipulation or by voluntary appearance at the hearing.

5-118. Service of summons.—Service of summons in cases coming within this article shall be pursuant to rules of procedure adopted by the supreme court.

## 5-119. Taking into custody.—A child may be taken into custody:

(a) pursuant to an order of the court under sections 5-117 and 5-120;

(b) for a delinquent act pursuant to the laws of arrest;

(c) by a law enforcement officer having reasonable grounds to believe that the child has run away from a detention, residential, shelter or other care facility;

(d) by a law enforcement officer having reasonable grounds to believe that the child is suffering from illness or injury or is in immediate danger from the child's surroundings and that the child's immediate removal from such surroundings is necessary for the protection of the health and safety of such child;

(e) by a law enforcement officer who has reasonable grounds to believe that the child has run away from his parents, guardian or other custodian;

(f) by a law enforcement officer who has reasonable grounds to believe that the child has no parent, guardian, custodian or other suitable person willing and able to provide supervision and care for such child;

(g) by a probation officer or representative of the department of pensions and security, pursuant to section 5-105; or

(h) by a law enforcement officer pursuant to an order of the court directing that a child be taken into custody pending hearing on allegations that the child is suffering from illness or injury or is in immediate danger from his surroundings and ordering that the child's immediate removal from such surroundings is necessary for the protection of the health and safety of such child.

5-120. Release; referral; delivery of child.—

(a) A person taking a child into custody shall, with all possible speed, and in accordance with the provisions of this article and the rules of court pursuant thereto:

(1) release the child to such child's parents, guardian, custodian or other suitable person able and willing to provide supervision and care for such child and issue oral counsel and warning as may be appropriate;

(2) release the child to the child's parents, guardian or custodian upon their promise to bring the child before the court when requested, unless the child's placement in detention or shelter care appears required;

(3) if not released, bring the child to the intake office of probation services or deliver the child to a place of detention or shelter care designated by the court and, in the most expeditious manner possible, give notice of the action taken, together with a statement of the reasons for taking the child into custody, in writing to the intake office, to the court, and to the parent, guardian or other custodian of the child, and in the case of dependency, to the department of pensions and security.

(b) Whenever a child, taken into custody pursuant to the provisions of this article, is brought to a shelter or other care facility established or approved by the department of pensions and security or the department of youth services or to the intake office, the person in charge of such intake office or the representative of the department of pensions and security, prior to admitting the child for care, shall review the need for detention or shelter care and shall release the child unless detention or shelter care is required under section 5-121 or has been ordered by the court.

(c) If a parent, guardian, or other custodian fails, when requested, to bring the child before the court as provided in subsection (a)(2), the court may issue its order directing that the child be taken into custody and brought before the court.

(d) A person taking a child into custody pursuant to the provisions of subsections (a) and (g) of section 5-119 shall bring the child to the place of detention or shelter care or to the intake office which shall thereupon proceed in accordance with the provisions of this article.

(e) A person taking a child into custody pursuant to subsection (d) of section 5-119 shall bring the child to a medical or mental health facility designated by the court if the child is believed to be suffering from a serious mental health condition, illness, or injury, which requires either prompt treatment or prompt diagnosis for the child's welfare or for evidentiary purposes, and in the most expeditious manner possible, give notice of the action taken together with a statement of taking the child into custody in writing to the court, the parent, guardian or other custodian and to the intake office and to the department of pensions and security in the case of a dependency allegation.

5-121. Criteria for continuing detention or shelter care of children taken into custody.—

(a) Unless otherwise ordered by the court pursuant to the provisions of this article, a child lawfully taken into custody as an allegedly dependent or delinquent child or a child in need of supervision shall immediately be released, upon the ascertainment of the necessary facts, to the care, custody and control of such child's parent, guardian, custodian or other suitable person able and willing to provide supervision and care for such child except in situations where:

(1) the child has no parent, guardian, custodian or other suitable person able and willing to provide supervision and care for such child; or

(2) the release of the child would present a clear and substantial threat of a serious nature to the person or property of others where the child is alleged to be delinquent; or

(3) the release of such child would present a serious threat of substantial harm to such child; or

(4) the child has a history of failing to appear for hearings before the court.

(b) The criteria for continuing the child in detention or shelter or other care as set forth in subsection (a) of this section, shall govern the decisions of all persons involved in determining whether the continued detention or shelter care is warranted pending court disposition and such criteria shall be supported by clear and convincing evidence in support of the decision not to release the child.

5-122. Detention and shelter care facilities; authorized use.—

(a) In providing detention and shelter or other care for children referred to or coming under the jurisdiction of the court, the court shall utilize only such facilities as have been established, licensed or approved by the department of youth services or department of pensions and security for such purposes.

(b) A delinquent child or a child alleged to be delinquent may be detained in a jail or other facility for the detention of adults only if:

(1) no other detention facility is available;

(2) the detention is in a room separate and removed from all contact with adult inmates;

(3) adequate supervision is provided; and

(4) the facility is approved by the department of youth services.

(c) The official in charge of a jail or other facility for the detention of adult offenders or persons charged with crime shall inform the court immediately when a child, who is or appears to be a child as defined by this article, is received at the facility, and shall deliver him to the court upon request, or transfer him to a detention facility designated by the court.

(d) When a case is transferred to another court for criminal prosecution, the child shall be transferred to the appropriate officer or detention facility in accordance with the law governing the detention of such person charged with crime.

5-123. Release from detention or shelter care; filing of petition; hearing; conditions of release.—

(a) When a child is not released from detention or shelter care as provided in section 5-120, a petition shall be filed and a hearing held within 72 hours, Saturdays, Sundays and holidays included, to determine whether continued detention or shelter care is required.

(b) Notice of the detention or shelter or other care hearing, either oral or written, stating the time, place and purpose of the hearing and the right to counsel shall be given to the parent, guardian or custodian if they can be found and to the child if such child is over 12 years of age or if delinquency is alleged; in every case of a dependent child, the department of pensions and security shall be notified.

(c) At the commencement of the detention or shelter or other care hearing, the court shall advise the parties of the right to counsel and shall appoint counsel as required. The parties shall be informed of the child's right to remain silent with respect to any allegation of delinquency. They shall also be informed of the contents of the petition and shall be given an opportunity to admit or deny the allegations of the petition.

(d) When the court finds that a child's full-time detention or shelter care is not required, the court shall order his release, and in so doing, may impose one or more of the following conditions singly or in combination:

(1) place the child in the custody of a parent, guardian, or custodian or any other person who the court deems proper, or under the supervision of an agency or organization agreeing to supervise him;

(2) place restrictions on the child's travel, association, or place of abode during the period of his release; or

(3) impose any other condition deemed reasonably necessary and consistent with the criteria for detaining children specified in section 5-121, including a condition requiring that the child return to custody as required.

(e) An order releasing a child on any conditions specified in this section may at any time be amended to impose additional or different conditions of release or to return the child to custody for failure to conform to the conditions originally imposed.

(f) All relevant and material evidence helpful in determining the need for detention or shelter care may be admitted by the court even though not competent in a hearing on the petition.

(g) If the child is not released and no parent, guardian or other custodian has been notified and none appeared or waived appearance at the hearing, upon the filing of an affidavit stating these facts, the court shall rehear the matter within 24 hours, Saturdays, Sundays and holidays included.

5-124. Right to counsel.—

(a) In delinquency and in need of supervision cases, a child and his parents, guardian, or custodian shall be advised by the court or its representative at intake that the child has the right to be represented at all stages of the proceedings by counsel retained by them, or if they are unable to afford counsel, by counsel appointed by the court. If counsel is not retained for the child in a proceeding in which there is a reasonable likelihood such may result in a commitment to an institution in

which the freedom of the child is curtailed, counsel shall be appointed for the child. The court may appoint counsel in any case when it deems such in the interest of justice.

(b) In dependency cases, the parents, guardian, or custodian shall be informed of their right to be represented by counsel and, upon request, counsel shall be appointed where the parties are unable, for financial reasons, to retain their own. The court shall also appoint counsel for the child in dependency cases where there is an adverse interest between parent and child, or where the parent is an unmarried minor or is married, widowed, widowed or divorced and under the age of 18 years, or counsel is otherwise required in the interests of justice.

5-125. Admissibility of child's preliminary statement.—

Unless advised by counsel, the statements of a child or other information or evidence derived directly or indirectly from such statements made while in custody to police or law enforcement officers or made to the prosecutor or probation officer, during the process of the case, including statements made during a preliminary inquiry, predisposition study, informal adjustment, or consent decree, shall not be used prior to a determination of the petition's allegations in a delinquency or in need of supervision case or in a criminal proceeding prior to conviction.

5-126. Other basic rights.—

(a) A child charged with a delinquent act or who is alleged to be in need of supervision shall be accorded the privilege against self-incrimination. An extra-judicial statement which would be constitutionally inadmissible in a criminal proceedings shall not be received in evidence over objection. Evidence illegally seized or obtained shall not be received in evidence over objection to establish the allegations against him. An extra-judicial admission or confession made by the child out of court is insufficient to support a finding that the child committed the acts alleged in the petition unless it is corroborated by other evidence.

(b) Criminal proceedings and other juvenile proceedings based upon the offense alleged in the petition or an offense based upon the same conduct are barred where the court has begun taking evidence or where the court has accepted a child's plea of guilty to the petition.

5-127. Predisposition study and report.—

(a) After a petition alleging delinquency, in need of supervision or dependency has been filed, the court may direct that a predisposition study and report to the court be made by probation services where the petition alleges that the child is delinquent or in need of supervision or by the department of pensions and security when the petition alleges that the child is dependent, concerning the child, his family, his environment, and other matters relevant to the need for treatment or disposition of the case.

(b) Where there are indications that the child may be physically ill, mentally ill or mentally retarded, the court, on its own motion, or motion by the prosecutor or that of counsel for the child, may order the child to be examined at a suitable place by a physician, psychiatrist, or psychologist, or other qualified examiner under the supervision of a physician, psychiatrist or psychologist who shall certify such examiner's findings in writing, or an examiner approved by the department of mental health, prior to a hearing on the merits of the petition. Such examinations made prior to hearing or as part of the study provided for

in subsection (a) of this section shall be conducted on an outpatient basis unless the court finds that placement in a hospital or other appropriate facility is necessary.

(c) The court, after hearing, may order an examination as described in subsection (b) of this section of a parent or custodian who gives his consent and whose ability to care for or supervise a child before the court is in issue.

5-128. Conduct of hearing.—

(a) Hearings under this article shall be conducted by the court without a jury and separate from other proceedings. The general public shall be excluded from delinquency, in need of supervision or dependency hearings and only the parties, their counsel, witnesses and other persons requested by a party shall be admitted. Such other persons as the court finds to have a proper interest in the case or in the work of the court may be admitted by the court on condition that such persons refrain from divulging any information which would identify the child or family involved. If the court finds that it is in the best interest of the child, his presence may be temporarily excluded from the hearings except while allegations of delinquency or in need of supervision are being heard.

(b) The parties shall be advised of their rights under law in their first appearance at intake and before the court. They shall be informed of the specific allegations in the petition and given an opportunity to admit or deny such allegations.

(c) If the allegations are denied, the court shall proceed to hear evidence on the petition. The court shall record its findings on whether or not the child is a dependent child or, if the petition alleges delinquency or in need of supervision, as to whether or not the acts ascribed to the child were committed by him. If the court finds that the allegations in the petition have not been established, it shall dismiss the petition and order the child discharged from any detention or temporary care theretofore ordered in the proceeding.

(d) If the court finds on proof beyond a reasonable doubt, based upon competent, material and relevant evidence, that a child committed the acts by reason of which he is alleged to be delinquent or in need of supervision it may proceed immediately to hear evidence as to whether the child is in need of care or rehabilitation and to file its findings thereof. In the absence of evidence to the contrary, evidence of the commission of an act which constitutes a felony is sufficient to sustain a finding that the child is in need of care or rehabilitation. If the court finds that the child is not in need of care or rehabilitation, it shall dismiss the proceedings and discharge the child from any detention or other temporary care theretofore ordered.

(e) If the court finds from clear and convincing evidence, competent, material and relevant in nature, that the child is dependent and in need of care or supervision, or from clear and convincing evidence, competent, relevant and material in nature, that the child is in need of care or rehabilitation as a delinquent child, or child in need of supervision, the court may proceed immediately in the absence of objection showing good cause, or at a postponed hearing, to make proper disposition of the case.

(f) In disposition hearings all relevant and material evidence helpful in determining the questions presented, including oral and written reports, may be received by the court and may be relied upon to the extent of its probative value, even though not competent in a hear-

ing on the petition. The parties or their counsel shall be afforded an opportunity to examine and controvert written reports so received and to cross-examine individuals making reports.

(g) On its own motion or that of a party, the court may continue the disposition hearing under this section for a reasonable period to receive reports and other evidence bearing on the disposition or need for care or rehabilitation. In this event, the court shall make an appropriate order for detention or temporary care of the child or his release from detention or temporary care during the period of the continuance subject to such conditions as the court may impose.

5-129. Transfer to criminal court.—

(a) The prosecutor may before a hearing on the petition on its merits, and following consultation with probation services, file a motion requesting the court to transfer the child for criminal prosecution, if:

(1) the child was 14 or more years of age at the time of the conduct charged, and is alleged to have committed an act which would constitute a felony if committed by an adult; or

(2) the child is 14 or more years of age and is already under commitment to an agency, department or institution as a delinquent.

(b) The court shall conduct a hearing on all such motions for the purpose of determining whether it is in the best interest of the child or the public to grant the motion. If the court so finds and there are no reasonable grounds to believe he is committable to an institution or agency for the mentally retarded or mentally ill, it shall order the case transferred for criminal prosecution.

(c) When there are grounds to believe that the child is committable to an institution or agency for the mentally retarded or mentally ill, the court shall proceed as provided in section 5-136.

(d) Evidence of the following and other relevant factors shall be considered in determining whether the motion shall be granted:

(1) the nature of the present alleged offense;

(2) the extent and nature of the child's prior delinquency record;

(3) the nature of past treatment efforts and the nature of the child's response to such efforts;

(4) demeanor;

(5) the extent and nature of the child's physical and mental maturity;

(6) the interest of the community and of the child requiring that the child be placed under legal restraint or discipline.

(e) Prior to a hearing on the motion by the prosecutor, a study and report to the court, in writing, relevant to the factors in subsection (d) shall be made by probation services.

(f) When a person is transferred for criminal prosecution, the court shall set forth in writing its reasons for granting the motion which shall include a finding of probable cause for believing that the allegations are true and correct.

5-130. Continuance without adjudication; consent decree.—At any time after the filing of a petition, the court may suspend proceedings and



continue the case, under terms and conditions agreed to by all parties, pursuant to rules adopted by the supreme court.

5-131. Disposition of dependent child; delinquent child or child in need of supervision.—

(a) If a child is found to be dependent, the court may make any of the following orders of disposition to protect the welfare of the child:

(1) permit the child to remain with his parents, guardian, or other custodian, subject to such conditions and limitations as the court may prescribe;

(2) place the child under protective supervision as herein provided or under the supervision of the department of pensions and security;

(3) transfer legal custody to any of the following:

(A) the department of pensions and security provided that said department is equipped to care for the child;

(B) a local public child-placing agency or private organization or facility willing and able to assume the education, care and maintenance of the child and which is licensed by the department of pensions and security or otherwise authorized by law to receive and provide care for such child; or

(C) a relative or other individual who, after study by the department of pensions and security, is found by the court to be qualified to receive and care for the child;

(4) in the case of any child, 14 years of age or older, where the court finds that the school officials have made a diligent effort to meet the child's educational needs, and after study, the court further finds that the child is not able to benefit appreciably from further schooling, the court may:

(A) excuse the child from further compliance with any legal requirement of compulsory school attendance; and

(B) authorize the child, notwithstanding the provisions of any other law, to be employed in any occupation which is not legally declared hazardous for children under the age of 18;

(5) make such other order as the court in its discretion shall deem to be for the welfare and best interests of the child.

(6) in appropriate cases award permanent custody to the department of pensions and security or to a licensed child placing agency with termination of parental rights and authorization to place for adoption, without appointing a legal custodian or guardian or guardian of the person; or award temporary custody to the same without appointing a legal custodian or guardian or guardian of the person.

(b) Unless a child found dependent shall also be found to be delinquent, he shall not be committed to or confined in an institution established for the care and rehabilitation of delinquent children or detention facility, provided, however, that nothing in this section shall be construed to prohibit the placement of dependent children in any other residential facility as defined hereinabove in Section 5-101, subsection (v).

(c) If a child is found to be delinquent or in need of supervision, the court may make any of the following orders or dispositions for his supervision, care and rehabilitation:

(1) permit the child to remain with parent, guardian or other custodian subject to such conditions and limitations as the court may prescribe;

(2) place the child on probation under such conditions and limitations as the court may prescribe;

(3) transfer legal custody to any of the following:

(A) the department of youth services with or without a commitment order to a specific institution;

(B) in the case of a child in need of supervision, the department of youth services or the department of pensions and security;

(C) a local, public or private agency, organization or facility willing and able to assume the education, care and maintenance of the child and which is licensed or otherwise authorized by law to receive and provide care for children;

(D) a relative or other individual who, after study by the probation services, is found by the court to be qualified to receive and care for the child;

(4) any order which is authorized by subsection (a) (4) of this section and subject to the requirements thereof; or

(5) make such other order as the court in its discretion shall deem to be for the welfare and best interests of the child, including assessment of fines not to exceed \$250.00 and restitution as the court deems appropriate.

(d) No child by virtue of a disposition under this section shall be committed or transferred to a penal institution or other facility used for the execution of sentences of persons convicted of a crime.

(e) No child found to be in need of supervision, unless also found to be delinquent, shall be committed to or placed in an institution or facility established for the care and rehabilitation of delinquent children unless the court finds upon a further hearing that the child is not amenable to treatment or rehabilitation under any prior disposition, or unless such child is again alleged to be a child in need of supervision and the court, after hearing, so finds.

(f) When a delinquent child is committable to an institution or agency for the mentally retarded or mentally ill, the court shall proceed as provided in section 5-136 rather than committing to an institution or facility for the care and rehabilitation of delinquent children.

(g) Whenever the court vests legal custody in an agency or department, it shall transmit with the order copies of the clinical reports, pre-disposition study, and other information it has pertinent to the care and treatment of the child.

5-132. Order of adjudication; noncriminal.—An order of disposition or other adjudication in proceedings under section 5-108(a) of this article shall not be considered to be a conviction or impose any civil disabilities ordinarily resulting from a conviction of a crime or operate to disqualify the child in any civil service application or appointment. The disposition of a child and evidence given in a hearing in the court shall not be admissible as evidence against him in any case or proceeding in any other court whether before or after reaching majority except in a disposition hearing in a juvenile court or in sentencing proceedings after conviction of a crime for the purposes of a presentence study and report.

5-133. Disposition of matters based upon constructive service.—The court shall have authority to make interlocutory and final dispositional orders in those cases in which a party or parties have been served by publication in accordance with rules adopted by the supreme court.

5-134. Modification; termination or extension of court orders.—

(a) At any time prior to expiration, an order vesting legal custody or an order of probation or protective supervision made by the court in the case of a child may be modified, revoked, or extended on motion by:

(1) a child, whose legal custody has been transferred to a department, institution, agency or person, requesting the court for a modification or termination of the order alleging that he is no longer in need of commitment, probation or protective supervision, and the department, institution, agency or person has denied application for release of the child or has failed to act upon the application within a reasonable time; or

(2) department, institution, agency or person vested with legal custody or responsibility for probation or protective supervision requesting the court for an extension of the order on the grounds that such action is necessary to safeguard the welfare of the child or the public interest.

(b) The court may dismiss the motions filed under subsection (a) of this section, if, after preliminary investigation, it finds that they are without substance. If it is of the opinion that the order should be reviewed, it may, upon due notice to all necessary parties as prescribed by rules of court, proceed to a hearing in the same manner and under the same safeguards provided for in this article for the issuance of the original order. It may thereupon terminate the order if it finds the child is no longer in need of care, supervision or rehabilitation, or it may enter an order extending or modifying the original order if it finds such action necessary to safeguard the child or the public interest.

5-135. Probation; protective supervision; revocation; disposition.—

(a) A child on probation incident to an adjudication as a delinquent or child in need of supervision who violates the terms of his probation or aftercare, or a child under protective supervision who fails to conform to the terms of his protective supervision, may be proceeded against for a revocation of such order.

(b) A proceeding to revoke probation, aftercare or protective supervision shall be commenced by the filing of a petition entitled "petition to revoke probation," "petition to revoke aftercare," or "petition to revoke protective supervision." Except as otherwise provided, such petitions shall be screened, reviewed and prepared in the same manner and shall contain the same information as provided in sections 5-114 and 5-115 of this article. The petition shall recite the date that the child was placed on probation, aftercare or under protective supervision and shall state the time and manner in which notice of the terms of probation, aftercare or protective supervision were given.

(c) Probation, aftercare or protective supervision revocation proceedings shall require clear and convincing evidence. In all other respects, proceedings to revoke probation, aftercare or protective supervision shall be governed by the procedures, safeguards and rights and duties applicable to delinquency, in need of supervision and dependency cases contained in this article.

(d) If a child is found to have violated the terms of his probation or aftercare pursuant to revocation hearing, the court may extend the period of probation or aftercare or make any other order of disposition specified for a child adjudicated delinquent or in need of supervision. If a child is found to have violated the terms of his protective supervision pursuant to a revocation hearing, the court may extend the period of protective supervision or may make any other order of disposition specified for a child adjudicated dependent.

5-136. Mental and physical examination and treatment of children. The juvenile court in its discretion may, either before or after hearing, cause any child within its jurisdiction to be given a physical or mental examination, or both, by a competent physician or physicians or other qualified examiner under the supervision of a physician, psychiatrist or psychologist who shall certify to the examiner's findings in writing, or an examiner approved by the department of mental health, to be designated by the court having jurisdiction of the child and the physician or physicians or mental examiner shall certify to the court the condition in which the child is found. If upon such examination or upon procedure as provided in Section 5-137 hereinafter, the court has reason to believe that a minor or child is mentally ill or mentally retarded as hereinafter defined, the court shall proceed in the manner set out in Section 5-137. Upon examination, if it appears that the child is in need of surgery, medical treatment or care, hospital care, or dental care, the court may cause the child to be treated by a competent physician, surgeon or dentist or placed in a public hospital or other institution for training or care or in an approved private home, hospital or institution, which will receive it for like purposes. The expense of such treatment shall be a valid charge against the county unless otherwise provided for. The court may grant authority to order emergency medical care to any such person, agency or department charged with the detention, temporary shelter care or other care of a child within its jurisdiction.

5-137. Involuntary commitment.—

(a) The state, any county or municipality, or any governmental agency, including but not limited to the department of pensions and security, or the department of youth services, or when any person including a parent, legal guardian, or other person standing in loco parentis may petition to have any minor or child, as hereinabove defined, committed to the custody of the state department of mental health on the basis that such minor or child is mentally ill or mentally retarded, and as a consequence of such mental illness or mental retardation poses a real and present threat of substantial harm to himself or to others. Such petition shall be verified and filed in the county in which such minor or child is located, petitioning the court to commit such minor or child to the custody of the state department of mental health.

(b) When any such petition is filed the court shall immediately review the petition and may require the petitioner to be sworn and answer under oath questions in regard to the petition and the minor or child sought to be committed. If it appears from the face of the petition or from the testimony of the petitioner that the petition is totally without merit, the court may order the petition dismissed without further proceedings.

(c) Service of the petition upon the minor or child sought to be committed, and upon his parents and other persons having legal responsibility shall be as provided herein for service on minors and children generally or as otherwise provided by rule promulgated by the supreme court.

(d) (1) When any child or minor against whom a petition has been filed seeking to commit such child or minor to the custody of the department of mental health is initially brought before the court, the court shall read the petition to such minor or child and to his parents, guardian and counsel, and inform such persons orally and in writing, of the date, time and place of the next hearing to be held in regard to such minor or child, the purpose of such hearing, the rights of such child or minor at such hearing, and the possible consequences of such hearing.

(2) The court shall ascertain the need for and ability to pay an attorney to represent the minor or child and shall appoint an attorney or guardian ad litem as in other proceedings under this article. No statement made or act done by such minor or child in the presence of the court prior to such minor or child obtaining the services of an attorney, by appointment or otherwise, shall be considered by the court in determining if such minor or child should be committed to the custody of the state department of mental health.

(3) Notice of the filing of a petition under this section, and of the date of final hearing, shall be given to the state department of mental health as provided by rules promulgated by the supreme court. Said notice shall constitute an application for admission to a facility maintained, operated or under the supervision and control of the department of mental health. Not less than 24 hours prior to the final hearing, said mental health department shall notify the district court whether adequate facilities are available for the minor or child and to which facility the minor or child should be sent if the district judge should determine that such minor or child is to be committed. No person shall be accepted if the facility does not have adequate facilities available or if acceptance would result in an overcrowded condition.

(e) At such time as a minor or child sought to be committed is first brought before the court, the court shall determine what limitations, if any, shall be placed upon such minor or child's liberty pending further hearings. No limitations shall be placed upon such minor or child's liberty unless such limitations are necessary to prevent such minor or child from doing substantial harm to himself or to others or to prevent such minor or child from leaving the jurisdiction of the court. No such minor or child shall be placed in a juvenile detention facility, or jail or other facility for persons accused of or convicted of committing crimes unless such minor or child poses a real and present threat of harm to himself or others and no other facility is available to safely detain such minor or child. The court shall order such minor or child to appear at the times and places set for hearing the petition and may order and require the minor or child to appear at designated times and places to be examined by medical doctors or mental health professionals.

(f) If the district court shall find it necessary to temporarily confine or restrain any minor or child, pending final hearing on a petition for commitment, in the custody of any person or persons or agency other than his parent or parents or legal guardian, the court at the time such restraint or confinement is ordered shall set the petition for hearing within seven days to determine if probable cause exists that such minor or child should be committed. Upon a finding of probable cause that such minor or child should be committed, the court shall enter an order so stating, and setting the date, time and place of the hearing on the merits of such petition. At such probable cause hearing the court shall determine if it is necessary to continue the restraint or confinement pending final hearing. The final hearing shall be held on the merits of such petition within thirty days of the date that such minor or child was served with a copy of the petition seeking to commit such minor or child.

(g) At all hearings conducted in relation to a petition to commit any minor or child to the custody of the state department of mental health, the following rules shall apply:

(1) The minor or child sought to be committed shall be present unless prior to the hearing the attorney for such minor or child has filed in writing a waiver of the presence of such minor or child on the ground that the presence of such minor or child would be dangerous to such person's physical or mental health or that such minor or child's conduct could reasonably be expected to prevent the hearing from being held in an orderly manner, and the court has determined from evidence that the waiver should be granted and has entered an order approving the waiver.

(2) The minor or child sought to be committed shall have the right to compel the attendance of and offer the testimony of witnesses, to be confronted with the witnesses in support of the petition and to cross-examine them, and to testify in his own behalf, but no such minor or child shall be compelled to testify against himself.

(3) The court shall cause the hearing to be recorded stenographically, mechanically or electronically and shall retain such recording for a period of not less than three years from the date the petition is denied or granted and not less than the duration of any commitment pursuant to such hearing.

(4) All hearings shall be heard by the court without a jury and the persons who may be present shall be as provided for in section 5-128(a).

(h) An attorney representing the state, any county or municipality, or the department of youth services, or the department of pensions and security, or an attorney representing the person or persons filing a petition to have a minor or child committed, may serve as the advocate in support of the petition to commit in all matters in regard to a petition to commit.

(i) At the final hearing upon a petition seeking to commit a minor or child to the custody of the department of mental health on the basis that he is mentally ill, the court may grant the petition if substantial evidence proves:

(1) the minor or child sought to be committed is mentally ill; and

(2) as a consequence of the mental illness the minor or child poses a real and present threat of substantial harm to himself or to others; and

(3) the threat of substantial harm has been evidenced by a recent overt act; and

(4) treatment is available for the minor or child's mental illness or that confinement is necessary to prevent the minor or child from causing substantial harm to himself or to others; and

(5) commitment is the least restricting alternative necessary and available for treatment of the minor or child's illness.

Upon such findings, the court shall enter an order setting forth the findings, and may order the person committed to the custody of the state department of mental health.

(j) At the final hearing upon a petition seeking to commit a minor or child to the state department of mental health on the basis that he is mentally retarded, the court may grant the petition if substantial evidence proves:

(1) the minor or child sought to be committed is mentally retarded,

(2) the said mentally retarded minor or child is not borderline or mildly retarded. For the purposes of making this determination, the following definitions shall apply:

A borderline retarded person is an individual who is functioning between one and two standard deviations below the mean and a mildly retarded person is an individual who is functioning between two and three standard deviations below the mean on a standardized intelligence test such as the Stanford Binet scale and on measures of adoptive behavior such as the American Adoptive Behavior scale; and

(3) the minor or child, if allowed to remain in the community, is likely to cause serious injury to himself or others, or that adequate care, rehabilitation and training opportunities are available only at a facility provided by the department of mental health.

Upon such findings, the court shall enter an order setting forth his findings, and may order the minor or child committed to the custody of the state department of mental health.

(k) The court committing any minor or child to the custody of the state department of mental health shall retain jurisdiction over such minor or child concurrently with the district court of the county in which the minor or child is subsequently located for so long as the minor or child is in the custody of the department of mental health.

5-138. Guardian ad litem; guardian of the person.—

(a) The court, at any state of a proceeding under this article may appoint a guardian ad litem for a child who is a party to the proceeding, if he has no parent or guardian or custodian appearing on his behalf or their interests conflict with those of the child. A party to the proceeding or his employee or representative shall not be so appointed.

(b) The court, in any proceeding under this article, shall appoint a guardian of the person for a child in any case where it finds that the child does not have a natural or adoptive parent in a position to exercise effective guardianship or a legally appointed guardian of his person. No officer or employee of a state or local public agency, or private agency which is vested with legal custody of a child shall be appointed guardian of the person of the child except when parental rights have been terminated and the agency has been authorized to place the child for adoption.

5-139. Court costs and expenses.—

(a) All expenses necessary or appropriate to the carrying out of the purposes and intent of this article and all expenses of maintenance and care of children that may be incurred by order of the court in carrying out the provisions and intent of this article (except costs paid by parents, guardian or trustee), court costs as provided by law and attorney fees shall be valid charges and preferred claims against the county and shall be paid by the county treasurer when itemized and sworn to by the creditor or other persons knowing the facts in the case, and approved by the court.

(b) If, after due notice to the parents or other persons legally obligated to care for and support the child, and after a hearing, the court finds that they are financially able to pay all or part of the court costs as provided by law, attorney fees and expenses with respect to examination, treatment, care or support of the child incurred in carrying out the provisions of this article, the court shall order them to pay the same and

may prescribe the manner of payment. Unless otherwise ordered, payment shall be made to the clerk of the court for remittance to those to whom compensation is due. If the child shall have an estate in the hands of a guardian or trustee, such guardian or trustee may be required to pay in a like manner. If the parent or other legally obligated person willfully fails or refuses to pay such sum, the court may proceed against him for contempt, or the order may be filed and shall have the effect of a civil judgment.

5-140. Support of committed child.—Whenever legal custody, of a child is vested in someone other than his parents, after due notice to the parents or other persons legally obligated to care for and support the child, and after a hearing, the court may order and decree that the parent or other legally obligated person shall pay in such manner as the court may direct a reasonable sum that will cover in whole or in part the support and treatment of the child after the decree is entered and including support, treatment, costs and legal fees from the commencement of the proceeding. If the parent or other legally obligated person willfully fails or refuses to pay such sum, the court may proceed against him for contempt, or the order may be filed and shall have the effect of a civil judgment.

5-141. Protective order.—In any proceeding commenced under this article, on application of a party or the court's own motion, the court may make an order restraining the conduct of any party over whom the court has obtained jurisdiction, if:

(a) an order of disposition of a delinquent or dependent child or a child in need of supervision has been made in a proceeding under this article; and

(b) the court finds that the persons' conduct is or may be detrimental or harmful to the child, and will tend to defeat the execution of the order of disposition made; and

(c) due notice of the application or motion and the grounds therefor and an opportunity to be heard thereon have been given to the person against whom the order is directed.

5-142. Social and legal records; inspection.—

(a) Social, medical and psychiatric or psychological records, including reports of preliminary inquiries, predisposition studies, of delinquent, in need of supervision and dependent children, including supervision records of such children, shall be filed separate from other files and records of the court and shall be open to inspection only by the following:

(1) the judge and probation officers and professional staff assigned to serve the court;

(2) representatives of a public or private agency, or department providing supervision or having legal custody of the child;

(3) any other person or agency by leave of the court, having a legitimate interest in the case or in the work of the court; and

(4) the probation and other professional staff assigned to serve a criminal court, including the prosecutor and the attorney for the defendant for use in considering the sentence to be imposed upon a convicted person, who, prior thereto, had been a party to the proceedings in court; and



(5) the child's parent (except where parental rights have been terminated) or guardian and the child's counsel and the child's guardian ad litem.

(b) All or any part of the records enumerated in subsection (a), or information secured from such records, when presented to and used by the judge in court or otherwise in a proceeding under this article, shall also be made available to the parties to the proceedings and their counsel and representatives.

(c) All other court records, including docket, petitions, motions and other papers filed with a case, transcripts of testimony, findings, verdicts, orders and decrees, shall be open to inspection only by those persons and agencies designated in subsections (a) and (b) of this section.

(d) Whoever, except for the purposes permitted and in the manner provided by this section, discloses or makes use of or knowingly permits the use of information concerning a child before the court directly or indirectly derived from the records of the court or acquired in the course of official duties, upon conviction thereof shall be guilty of a misdemeanor.

5-143. Law enforcement records.—

(a) The court shall, by rule, require all law enforcement agencies to take special precautions to insure that law enforcement records and files concerning a child will be maintained in such manner and under such safeguards as will protect against disclosure to any unauthorized person. Unless a charge of delinquency is transferred for criminal prosecution under section 5-129, or the court otherwise orders in the interest of the child or of national security, such records and files with respect to such child shall not be open to public inspection nor their contents disclosed to the public.

(b) Inspection of such records and files shall be permitted only to the following:

(1) a juvenile court having the child currently before it in any proceeding;

(2) the officers of the department of pensions and security, the department of youth services, public and nongovernmental institutions or agencies to which the child is currently committed, and those responsible for his supervision after release;

(3) any other person, agency, or institution, by order of the court, having a legitimate interest in the case or in the work of the law enforcement agency;

(4) law enforcement officers of other jurisdictions when necessary for the discharge of their current official duties;

(5) the probation and other professional staff of a court in which the child is subsequently convicted of a criminal offense for the purpose of a presentence report or other dispositional proceedings, or by officials of penal institutions and other penal facilities to which he is committed, or by a parole board in considering his parole or discharge or in exercising supervision over him; and

(6) the parent, guardian or other custodian and counsel for the child.

(c) Whoever, except as provided in subsections (a) and (b) above, directly or indirectly discloses or makes use of or knowingly permits the

use of information concerning a child described in said subsections, upon conviction thereof shall be guilty of a misdemeanor.

5-144. Children's fingerprints; photographs.—

(a) Fingerprints of a child 14 or more years of age who is referred to court for an alleged delinquent act may be taken and filed by law enforcement officers investigating the commission of a felony. If the court does not find that the child committed the alleged felony, the fingerprint card and all copies of the fingerprints shall be destroyed.

(b) If latent fingerprints are found during the investigation of an offense and a law enforcement officer has reason to believe that they are those of the child in custody, he may fingerprint the child regardless of age or offense for purpose of immediate comparison with the latent fingerprints. If the comparison is negative, the fingerprint card and other copies of the fingerprints taken shall be immediately destroyed. If the comparison is positive and the child is under 14 years of age and referred to court, the fingerprint card and other copies of the fingerprints shall be delivered to the court for disposition. If the child is not referred to court, the print shall be immediately destroyed.

(c) If the court finds that a child 14 or more years of age has committed a felony, the prints may be retained in a local file and copies sent to a central state depository; provided, that the court shall, by rule, require special precautions to be taken to insure that such fingerprints will be maintained in such manner and under such safeguards as to limit their use to inspection for comparison purposes by law enforcement officers or by staff of the depository only in the investigation of a crime.

(d) A child in custody shall not be photographed for criminal identification purposes without the consent of the court unless the case is transferred for criminal prosecution.

(e) Any person who willfully violates provisions of this section shall, upon conviction thereof, be guilty of a misdemeanor.

5-145. Sealing and destruction of records.—

(a) On motion of the part of a person who has been the subject of a delinquency petition or on the court's own motion, the court shall vacate its order and findings and order the sealing of the legal and social files and records of the court, probation services, and of any other agency in the case if it finds that:

(1) 2 years have elapsed since the final discharge of the person from legal custody or supervision, or 2 years after the entry of any other court order not involving custody or supervision; and

(2) he has not been convicted of a felony or misdemeanor involving moral turpitude, or adjudicated delinquent prior to the filing of the motion, and no proceeding is pending seeking such conviction or adjudication. The motion and the order may include the files and records specified in section 5-142.

(b) Reasonable notice of the motion shall be given to:

(1) the prosecutor;

(2) the authority granting the discharge if the final discharge was from an institution, parole or probation; and

(3) the law enforcement officers, department and central depository having custody of the files and records specified in section 5-142 are and included in the motion.

(c) Upon the entry of the order, the proceedings in the case shall be treated as if they never occurred, and all index references shall be deleted and the court and law enforcement officers and departments shall reply and the person may reply to any inquiry that no record exists with respect to such person. Inspection of the files and records included in the order may thereafter be permitted by the court only upon motion by the person who is the subject of such records, and only to those persons named in the motion; provided, however, the court in its discretion may by special order in an individual case permit inspection by or release of information in the records to any clinic, hospital or agency which has the person under care.

(d) Any adjudication of delinquency or conviction of a felony or a crime involving moral turpitude subsequent to sealing shall have the effect of nullifying the sealing order.

(e) A person who has been the subject of a delinquency petition and has met the conditions stipulated in subsection (a) (2), may, five years after reaching the age of majority, file a motion requesting the destruction of all records pertaining to his case. If the court grants the motion, copies of the order shall be sent to all offices or agencies that are repositories of such records and all such offices and agencies shall comply with the order.

(f) Upon the entry of a sealing order or a destruction order, all references including arrest, complaint, referrals, petitions, reports and orders, shall be removed from all agency, official and institutional files and sealed or destroyed as aforesaid and a finding of delinquency shall be deemed never to have occurred. No child who has been the subject of such a sealing or destruction order shall be deemed to have been arrested ab initio within the meaning of the general statutes, with respect to proceedings so sealed or destroyed, and in response to any inquiry or on any application or in any proceeding the person may state that he has never been arrested, taken into custody, committed, or adjudicated a delinquent with regard to the proceedings so sealed or destroyed.

(g) A person who has been the subject of a delinquency petition shall be notified of his rights under subsections (a) and (e) at the time of his final discharge.

5-146. Continuances.—Continuances shall be granted by the court only upon a showing of good cause and only for so long as it is necessary, taking into account not only the request or consent of the prosecutor or of the child, but also the interest of the public in the prompt disposition of cases and whether the child is being detained.

5-147. Contempt powers.—Subject to the laws relating to the procedures therefor and the limitations thereon, the court may punish a person for contempt of court for disobeying an order of the court or for obstructing or interfering with the proceedings of the court or the enforcement of its orders. Notwithstanding the foregoing, the court shall be limited in the actions it may take with respect to a child violating the terms and conditions of the order of protective supervision to those which the court could have taken at the time of the court's original disposition under section 5-131(a).

5-148. Causing delinquency, dependency or need of supervision of children.—It shall be unlawful for any parent, guardian or other person to willfully aid, encourage or cause any child to become or remain delinquent, dependent or in need of supervision; or by words, acts, threats, commands or persuasions, induce or endeavor to induce, aid or encourage any child to do or perform any act or to follow any course of con-

duct which would cause or manifestly tend to cause such child to become or remain delinquent, dependent or in need of supervision; or by the neglect of any lawful duty or in any other manner contribute to the delinquency, dependency or need of supervision of a child. The employment of any child in violation of any of the provisions of the child labor law, or permitting, conniving at, aiding or abetting such employment shall be held to be encouraging, causing and contributing to the delinquency, dependency or need of supervision of such child. Failure on the part of any parent, guardian or other person having custody of the child to cause such child to attend school as required by the compulsory attendance law shall be held to be encouraging, causing and contributing to the delinquency, dependency or need of supervision of such child. Whoever violates any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars or sentenced to hard labor for the county not to exceed twelve months, or both. Whenever, in the course of any proceedings under this article, or when, by affidavit as hereinafter provided, it shall appear to the juvenile court that a parent, guardian or other person having custody, control or supervision of a child, or any other person not standing in any such relation to such child, has aided, encouraged or caused such child to become delinquent, dependent or in need of supervision as defined herein, or has by words, act or omission contributed thereto, or has, by threats, commands or persuasion, induced or endeavored to induce, aided or encouraged, such child to do or perform any act or to follow any course of conduct which would cause or manifestly tend to cause such child to become or remain delinquent, dependent or in need of supervision, the court shall, for the protection of such child from such influences, have jurisdiction in such matters, as provided herein. The court shall cause such parent, guardian or other person to be brought before it upon either summons or a warrant, affidavit of probable cause having first been made. Upon conviction, the court shall have the power to suspend any sentence, remit any fine or place such person on probation under orders, directives or conditions for his discipline and supervision as the court deems fit.

5-149. Disobeying orders of court; punishments for.—Any person who knowingly and willfully disregards or fails to obey any lawful order made by the court under the provisions of this article or who knowingly and willfully interferes with the custody of any child under the jurisdiction of said court shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not more than five hundred dollars or sentenced to hard labor for the county not to exceed six months, or both. The court shall, however, have the power to suspend any sentence, remit any fine or place such person on probation under orders, directives or conditions for his discipline and supervision as the court deems fit.

5-150. Obstructing officers in performance of duties.—It shall be unlawful for any person to remove, conceal or cause to be removed or concealed, or attempt so to do, any delinquent or dependent child or one in need of supervision, as defined in this article, or one alleged in a petition or order of transfer filed in said court to be so, or any child whose custody is the subject of controversy in said court, or for any person to interfere with the custody of, or remove, or attempt to remove any delinquent or dependent child or one in need of supervision, or one alleged so to be, or any child whose custody is the subject of controversy in said court who is in the custody of the court, or of a probation officer or any other officer or person designated by the court as a special officer, or any such child who has been by said court committed to a department of state government, any person, persons, institution, association or corporation, under the terms of this article, or by virtue of its general equity jurisdiction. And it shall be unlawful for any person to interfere know-

ingly with or oppose or otherwise obstruct any probation officer or representative of the department of pensions and security in the performance of his duties under this article. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than five hundred dollars or sentenced to hard labor for the county not to exceed twelve months, or both. The court shall, however, have the power to suspend any sentence, remit any fine or place such person on probation under orders, directives or conditions for his discipline and supervision as the court deems fit.

5-151. Procedure in minor or adult cases.—In any proceeding arising under section 5-109, the court, with the consent of the defendant, may make a preliminary investigation and such adjustment as is practicable, without prosecution. The procedure and disposition applicable in the trial of such cases in a criminal court shall be applicable to trial in the juvenile court. The prosecutor shall prepare and prosecute any case within the purview of section 5-109. Where, in his opinion, it is necessary to protect the welfare of the persons before the court, the judge, with the consent of the defendant and the parties in interest, may conduct hearings in chambers, and may exclude persons having no direct interest in the case.

5-152. Appeals.—

(a) An aggrieved party (including the state or any subdivision of the state except in criminal cases, delinquency cases and in need of supervision cases) may appeal from a final order, judgment or decree of the juvenile court to the circuit court by filing written notice of appeal within 14 days after the entry of the order, judgment or decree. All appeals under this article shall take precedence over all other business of the court to which the appeal is taken. Upon appeal, the circuit court shall try the case de novo and shall proceed to render such judgment as is otherwise provided for by law in such cases.

(b) Upon the rendition of such judgment, the circuit court shall cause to be filed with the juvenile court a copy of its judgment which shall thereupon become the judgment of the juvenile court. If the circuit court does not dismiss the proceedings and discharge the child, it shall remand the child to the jurisdiction of the juvenile court for supervision and care under the terms of the judgment of the circuit court, and thereafter the child shall be and remain under the jurisdiction of the juvenile court in the same manner as if the juvenile court had rendered the judgment in the first instance.

(c) The appeal does not stay the order, judgment or decree appealed from, but the circuit court may otherwise order on application and hearing consistent with this article if suitable provision is made for the care and custody of the child. If the order, judgment or decree appealed from grants the custody of the child to, or withholds it from one or more of the parties to the appeal, it shall be heard at the earliest time practicable.

(d) When a case has been transferred to the circuit court docket in the first instance as provided in section 5-103, an appeal shall lie therefrom in conformance with procedures promulgated by the supreme court.

5-153. Express repealer.—(1) The following sections of Title 13 of the Code of Alabama, 1940, are hereby expressly repealed: Section 350, entitled "Definitions;" Section 351, entitled "Courts having jurisdiction of children;" Section 352, entitled "Title of proceeding; petition; examinations and summons; custody of child pending hearing; service and

summons; when summons unnecessary; contempt; who shall serve papers; when rights barred;" Section 353, entitled "Juvenile courts, practice and rules of privacy;" Section 354, entitled "Procedure;" Section 355, entitled "Juvenile court judges; duty to report to department;" Section 356, entitled "Failure or refusal to make report;" Section 357, entitled "Referees or probation officers;" Section 358, entitled "Mental and physical examination and treatment of children;" Section 359, entitled "Solicitors to assist such courts;" Section 360, entitled "Probation officers, qualifications, appointments, powers and duties, compensation, removal, cooperation of institutions and agencies;" Section 361, entitled "Commitment of children;" Section 362, entitled "Appeals;" Section 363, entitled "Transferring jurisdiction; transfers to the juvenile court;" Section 364, entitled "Transfer from the juvenile court;" Section 365, entitled "Transfers between courts of juvenile jurisdiction;" Section 366, entitled "Causing dependency, neglect or delinquency of children;" Section 367, entitled "Complaint; form of;" Section 368, entitled "Right to bail;" Section 369, entitled "Hearing of cause; punishment;" Section 370, entitled "Suspension of fine; probation of prisoner;" Section 371, entitled "Right of appeal; bond pending appeal;" Section 372, entitled "Preferred cases on appeal; how tried;" Section 373, entitled "Disobeying orders of court, punishment for;" Section 374, entitled "Obstructing officers in performance of duties;" Section 375, entitled "Advisory board;" Section 376, entitled "Duties of board;" Section 377, entitled "Confessions and admissions of children;" Section 378, entitled "Juveniles not criminals;" Section 379, entitled "Child held for safekeeping;" Section 380, as amended, entitled "Clerks;" Section 381, entitled "Counties excepted;" Section 382, entitled "Punishment for wrongful imprisonment of children;" and Section 383, entitled "Officer serving process, etc., under juvenile courts; costs and fees of."

(2) The following sections of Title 45 of the Code of Alabama, 1940, are hereby expressly repealed:

Section 29, entitled "Mental deficient, how committed to home;" Section 252(a8) [1973 Cumulative Supplement] entitled "Definitions;" Section 252(a9) [1973 Cumulative Supplement] entitled "Authority to receive mentally retarded individuals on voluntary admission; who may apply;" Section 252(a10) [1973 Cumulative Supplement] entitled "Discharge of mentally retarded individuals admitted voluntarily;" Section 252(a11) [1973 Cumulative Supplement] entitled "Right of mentally retarded individual on voluntary admission to discharge on application;" Section 252(a12) [1973 Cumulative Supplement] entitled "Reception of mentally retarded individuals on court order;" Section 252(a13) [1973 Cumulative Supplement] entitled "Judicial procedure for order to care of board;" Section 252(a14) [1973 Cumulative Supplement] entitled "Expenses of proceedings; how paid;" Section 252(a15) [1973 Cumulative Supplement] entitled "Leave and discharge;" and Section 252(a16) [1973 Cumulative Supplement] entitled "Transfer of mentally retarded individuals."

#### Article 6. MISCELLANEOUS.

#### Article 7. COURT PERSONNEL.

7-101. Compensation of circuit clerks.—Each circuit clerk shall be compensated by the state, beginning January 16, 1977, at a salary rate of eighteen thousand seven hundred fifty (18,750.) dollars. Provided, however, that circuit clerks shall each receive a supplemental salary from the general fund of such counties in an amount sufficient to maintain their total salaries at the same relationship which salaries of circuit clerks of the respective counties bear on the effective date of this act to salaries of circuit judges in their respective counties.

Article 8. MUNICIPAL COURTS.

8-101. Establishment of court; jurisdiction.—

(a) There is hereby established, effective December 27, 1977, for each municipal corporation (referred to in this article as "municipality") within the state, except those which elect not to have such courts by ordinance adopted before December 27, 1977, a municipal court subject to the authority, conditions and limitations provided by law.

(b) The municipal court shall have jurisdiction of all prosecutions for the breach of the ordinances of the municipality within its police jurisdiction. A municipal court shall have the number of judges and shall hold court at times and places provided by the municipal governing body.

(c) A municipal court shall have concurrent jurisdiction with the district court of all acts constituting violations of state law committed within the police jurisdiction of the municipality which may be prosecuted as breaches of municipal ordinances.

(d) All cases in municipal courts will be tried by a judge without a jury.

8-102. Provisions for judges: number, how appointed, term of office, disqualifications, maintenance of office.—

(a) The governing body of the municipality shall, by vote of a majority of its members, appoint judges of the municipal court. The term of office of each full-time municipal judge shall be for a term of four years. The term of office of a municipal judge other than a full-time municipal judge shall be two years. The term of either full-time or part-time municipal judges shall continue until a successor has been appointed and qualified. In the event that a municipality has more than one judge, the mayor shall designate a presiding judge, who shall have such additional duties and powers and be entitled to receive such additional compensation as provided by ordinance.

(b) Each judge must be licensed to practice law in this state and must be a qualified elector of the state. No judge shall be otherwise employed in any capacity by the municipality during his term of office.

(c) The office of a municipal judge shall be vacant if he dies, resigns, or is removed and vacancies shall be filled by the municipal governing body in the same manner as original appointments are made.

(d) Each municipal judge shall, before assuming office, take and sign the oath provided by the Constitution and a copy thereof shall be filed in the office of the secretary of state, the administrative director of courts and the clerk of the municipality; provided, that failure to file as herein required shall not render invalid any act, order or judgment of said judge.

(e) Municipal judges shall be subject to all grounds of disqualification from hearing specific cases applicable to circuit judges.

(f) No full-time municipal judge shall, during his continuance in office, engage in the practice of law or receive any remuneration for his judicial service except the salary and allowances authorized by the municipality.

(g) The municipality shall provide for prosecution, appropriate facilities and necessary supportive personnel for the municipal court, and

may provide for probation services, clerks, and municipal employees designated as magistrates.

8-103. Compensation of judges.—

(a) The salary of the municipal judges shall be fixed from time to time by the municipal governing body and paid by the municipality, but no judge's salary shall be diminished during his term of office.

(b) A general increase in the compensation of all or substantially all city employees shall be applied proportionately to the salaries of such judges.

(c) The municipality may provide for the retirement of municipal judges, with such conditions, retirement benefits, and pensions for them and their dependents as it may prescribe.

8-104. Bail, penalties, and probation.—

(a) Municipal judges shall admit to bail any person charged with violation of any municipal ordinance by requiring an appearance bond, with good security, to be approved by the respective municipal judges or their designees in an amount not to exceed five hundred dollars (\$500.00) and may, in their discretion, admit to bail such persons on a personal recognizance bond; such bonds to be conditioned on the appearance of such persons before the judge on a day named therein to answer the charges preferred against him.

(b) Municipal ordinances may provide penalties of fines, imprisonment, and hard labor, or one or more of such penalties for violation of ordinances. The judgment may provide that if a fine and costs are not paid within the time prescribed, the defendant shall work out the amount of the judgment under the direction of the municipal authority allowing not less than ten dollars (\$10.00) for each day's service.

(c) No fine shall exceed five hundred dollars (\$500.00) and no sentence of imprisonment or hard labor shall exceed six (6) months.

(d) Upon conviction, the court may, upon a showing of inability to make immediate payment of fine and costs, accept defendant's bond with or without surety and with waiver of exemptions as to personalty payable within ninety days, upon non-payment of which execution may issue as upon judgments in state courts.

(e) Municipal courts shall have the authority to accept partial payment of fines, remit fines, costs and fees, impose intermittent sentences, establish work release programs, require attendance of educational, corrective or rehabilitative programs, suspend driving privileges for such times and under such conditions as provided by law and order hearings to determine the competency of the defendant to stand trial; provided further, that the court may enter an order authorizing the defendant to drive under the conditions set forth in the order.

(f) Municipal courts may suspend execution of sentence and place a defendant on probation for varying periods of time, not to exceed two years.

(1) The court may require such investigations as may be deemed necessary and desirable, to be made by a probation officer or such other suitable person or persons as the court may designate, as to the circumstances of the offense, the criminal record, social history and present condition of the defendant. The court may suspend the execution of sentence and continue the defendant under an existing bond or may require such additional bail as it deems necessary, pending the disposition of the application for probation.



(2) The court shall determine and may, at any time, modify the conditions of probation and may include among them the following, or any other: that the probationer shall avoid injurious or vicious habits; avoid persons or places of disreputable or harmful character; report to the probation officer, or other person designated by the judge; permit the officer to visit him at his home or elsewhere; work faithfully at suitable employment as far as possible; remain within a specified area; pay the fine and costs imposed or such portions thereof as the judge may determine, and in such installments as the judge may direct; make reparation or restitution to any aggrieved party for the damage or loss caused by his offense in an amount to be determined by the court; attend defensive driving schools, alcohol countermeasure programs or courses where available and support his dependents to the best of his ability.

(3) The probation or other officer designated by the court shall investigate all cases when directed to do so by the court and report in writing thereon if the court so directs. The officer, if so designated, shall furnish to each probationer released on probation under his supervision a written statement of the conditions of probation and shall instruct the probationer regarding the same. Such officer shall keep informed concerning the conduct and conditions of each person on probation under his supervision by visiting the probationer, requiring reports from the probationer or others, and shall report thereon in writing as often as the court may require. Such officer shall use all practicable and suitable methods, not inconsistent with the conditions imposed by the court, to aid and encourage persons on probation and to bring about improvement in their conduct and condition. Such officer shall keep detailed records of his work and shall make such reports in writing as the judge may require. The officer so designated shall have, in the execution of his duties, the power to arrest probationers and the same right to execute process as is given by law to peace officers. All reports, records and data assembled by any probation officer and referred to the judge shall be privileged and shall not be available for public inspection except upon order of the judge to which the same was referred. All probation reports completed and filed shall be subject to inspection by the defendant or his attorney.

(4) The period of probation or suspension of execution of sentence shall be determined by the court and may exceed the length of the sentence and such period may be extended a period of two years from date of sentencing. Upon the satisfactory fulfillment of the conditions of probation or suspension of sentence, the court shall by order duly entered on the minutes, discharge the defendant. At any time during the period of probation or suspension of execution of sentence, the court may issue a warrant and cause the defendant to be arrested for violating any of the conditions of probation or suspension of sentence. Any probation officer or police officer with probable cause to believe a probationer has violated the conditions of probation may arrest such probationer without a warrant. In case of an arrest without a warrant, the arresting officer shall have a written statement by such probation officer setting forth that the probationer has, in his judgment, violated the conditions of probation and said statement shall be sufficient warrant for having probationers brought forthwith before the court for determination as to probable cause for the charge of probation violation. The court may order detention of the probationer pending further hearing, after which the court may revoke the probation or suspension of sentence and order and adjudge that the sentence be immediately executed.

(g) The penalty imposed upon a corporation shall consist of the fine only, plus costs of court.

## 8-105. Appeals.—

(a) All appeals from judgments of municipal courts shall be to the circuit court of the circuit in which the violation occurred for trial de novo.

(b) The municipality may appeal within sixty days without bond, from a judgment of the municipal court holding an ordinance invalid.

(c) A defendant may appeal in any case within fourteen days from the entry of judgment by filing notice of appeal and giving bond with or without surety approved by the court or the clerk in an amount not more than \$500.00 and costs, as fixed by the court, conditioned upon defendant's appearance before the circuit court. The municipal court may waive appearance bond upon satisfactory showing that the defendant is indigent or otherwise unable to provide a surety bond. If an appeal bond is waived, a defendant sentenced to imprisonment shall not be released from custody, but may obtain release at any time by filing a bond approved by the municipal court. If defendant is not released, the prosecutor shall notify the circuit clerk and the case shall be set for trial at the earliest practicable time.

(d) When an appeal has been taken, the municipality shall file the notice and other documents in the court to which the appeal is taken within fifteen days, failing which the municipality shall be deemed to have abandoned the prosecution, the defendant shall stand discharged and the bond shall be automatically terminated.

(e) Upon trial or plea of guilty in the circuit court on appeal, the court may impose any penalty or sentence which the municipal court might have imposed.

(f) Upon failure of an appellant to appear in circuit court when the case is called for trial, unless good cause for such default is shown, the court shall dismiss the appeal and enter judgment of default on the appeal bond, and may also issue a warrant for arrest of the appellant. A copy of the order shall be delivered by the circuit clerk to the clerk of the municipal court. The circuit court may on motion of defendant made within thirty days of the order of dismissal, set aside the dismissal and other orders and reinstate the appeal on such terms as the court may prescribe, for good cause shown by defendant.

(g) Upon receipt of notice of dismissal of an appeal, the municipal court may issue a warrant for arrest of the defendant, who may also be arrested without a warrant as an escape. Upon arrest defendant shall be delivered to the municipal authorities and punished in accordance with the judgment of the municipal court.

(h) If a judgment is entered against a defendant on appeal, the circuit court shall remand the defendant to the municipal authorities for punishment in accordance with the judgment of the circuit court, unless, when the judgment is for fine and costs only, the judgment is paid or a judgment is conferred therefor in favor of the municipality with sureties or as otherwise provided for convictions under state law.

(i) Upon receipt of payment of fines and costs upon appeals, the clerk of the circuit court shall within thirty days pay ninety percent of such fines and forfeitures, and ten percent of the costs, to the treasurer of the municipality. The circuit clerk shall be liable on his bond for such fines and costs plus a penalty of five percent per month for default in such payments.

8-106. Appeals from circuit court.—From the judgment of the circuit court, the municipality, in a case holding invalid an ordinance, or the defendant in any case, may appeal to the court of criminal appeals in like manner as in cases of appeals for convictions of violation of the criminal laws of the state. If the appeal is taken by the municipality, it shall not be required to give surety for the cost of appeal. When taken by defendant he may give bail with sufficient sureties, conditioned that he will appear and abide by the judgment of the appellate court, and failing to give bail he must be committed to the municipal jail; but he may give such bail at any time pending the appeal. When an appeal is taken by the defendant and bail is given pending the appeal, and the judgment of conviction is affirmed or the appeal is dismissed, the defendant is bound by the undertaking of bail to surrender himself to the municipal authorities within fifteen days from the date of such affirmation or dismissal, and if he shall fail to do so, the clerk of the circuit court from which the appeal is taken, upon motion of the municipality, must endorse the bail bond forfeited, and a writ or writs of arrest must be issued by the clerk to the sheriff. Upon arrest defendant shall be delivered to the municipal authorities and the sentence must without delay be carried out as if no appeal has been taken. If bail is forfeited as herein provided, a conditional judgment must be rendered by the court in favor of the municipality and the same proceedings had thereon for the municipality as is authorized by law to be had in the name of the state in state cases.

8-107. Court costs.—In addition to costs and charges fixed by law upon conviction for violations of municipal ordinances, the governing body of each municipality having a municipal court may by ordinance provide for the imposition of costs in the maximum amount of \$10.00.

8-108. Further powers and authority of municipal judges.—A municipal judge may administer oaths, compel the attendance of witnesses and compel the production of books and papers, punish by fine not exceeding fifty dollars (\$50.00) and/or imprisonment not exceeding five days any person found and adjudged to be in contempt of court, and shall have power coextensive with the jurisdiction of the district court to issue writs and other process, and to approve and declare bonds forfeited. The municipal judge, or when more than one judge in the municipality, the presiding judge, shall designate any other municipal officers who shall be authorized to approve appearance and appeal bonds.

8-109. Sheriffs and municipal law enforcement officers shall obey municipal judge and execute legal process.—The sheriffs of the counties and law enforcement officers of the municipalities of the state of Alabama shall obey the municipal judge having legal authority in faithfully executing the warrants and processes committed to them for service according to their mandates.

8-110. Warrant issuance, where returnable; municipal court administrative agency; magistrates; rules of administration; bonding.—

(a) Warrant issuance. Municipal judges are authorized to issue arrest and search warrants for municipal ordinance violations returnable to the municipal court and for violations of state law returnable to any state court.

(b) Municipal court administrative agency. The municipal court may have under its supervision a municipal court administrative agency empowered to provide expeditious service in connection with administrative adjudication of ordinance violations; the handling of uniform traffic tickets and complaints; the issuance of arrest warrants; and other powers provided by law. The personnel designated by the judge or judges

of the municipal court for the accounting of uniform traffic tickets or complaints and magistrates shall be considered as officials of such administrative agency. Such officials are vested with judicial power reasonably incident to the accomplishment of the purposes and responsibilities of the administrative agency.

(c) Magistrates. The magistrates shall be considered the chief officers of such administrative agency. The supreme court may, by rule, prescribe procedures for the appointment of magistrates by class or position and in addition thereto provide for the appointment of other magistrates by the administrative director of courts, upon recommendation by municipal judges.

The powers of a magistrate shall be limited to:

- (1) issuance of arrest warrants;
- (2) granting of bail in minor misdemeanor prosecutions;
- (3) receiving of pleas of guilty in minor misdemeanors where a schedule of fines has been prescribed by rule;
- (4) accountability to the municipal court for all uniform traffic tickets and complaints, monies received and records of offenses; and
- (5) such other authority as may be granted by law.

(d) Rules of administration; bonding. The supreme court shall provide rules of administration for such administrative agency, including the bonding of all officials which will be handling money.

8-111. Acting municipal judge.—In the absence from the city, death, disability, or disqualification of a municipal judge, for any reason, the mayor of the municipality shall have the authority to designate a person, licensed to practice law in the state and a qualified elector of the state, not otherwise employed in any capacity by the municipality, to serve as acting municipal judge with all power and authority of a duly appointed municipal judge. No such acting judge may serve for more than thirty successive days or a total of sixty days in any calendar year; provided, that when the duly appointed municipal judge is disqualified pursuant to the Constitution, the time of service limitations for acting judges shall not apply during such disqualification.

8-112. Municipal governing body may abolish municipal court.—The governing body of any municipality having a municipal court may at any time by ordinance abolish its municipal court and the jurisdiction of the court so abolished shall be transferred to the district court of the district in which the municipality is located under the conditions and effective dates hereinafter provided. A certified copy of the ordinance abolishing the municipal court shall be transmitted by certified mail to the clerk of the district court for the district in which the municipality is located, the presiding judge of the circuit court for the judicial circuit in which the municipality is located, the clerk of the circuit court, the clerk of the supreme court, the secretary of state, and the administrative director of the courts. All pending cases and process in those cases which are to be acted upon by the district court after the effective date of the municipal ordinance abolishing the municipal court as hereinafter provided shall be delivered by the clerk of the municipal court to the clerk of the district court at least ten days prior to such effective date, but the records of completed cases and inactive process shall be retained by the clerk of the municipality for a period of ten (10) years. An ordinance abolishing the municipal court shall be effective as follows:

(a) In municipalities with a population of 5,000 or less the transfer of pending cases to the district court shall occur 90 days subsequent to the date of adoption of the ordinance abolishing the municipal court.

(b) In municipalities with a population of 5,001 and up to 50,000, the transfer of pending cases to the district court shall occur 12 months subsequent to the date of adoption of the ordinance abolishing the municipal court.

(c) In municipalities of a population of 50,000 or more, the transfer of pending cases to the district court where the municipality is located shall occur two (2) years subsequent to the date of adoption of the ordinance abolishing the municipal court.

(d) On the effective date of transfer of pending cases as provided in this section all proceedings relating to ordinance violations shall be within the jurisdiction of the district court. Judgments of courts which cease to exist on the effective date of transfer shall continue in effect and the district court is empowered to enforce such judgments. Fines, forfeitures and costs due and unpaid on the effective date of transfer and those which will subsequently be collected on cases pending on the effective date of transfer shall be collected by the district court and remitted to the municipality.

(e) on the effective date of transfer of municipal cases to the district court, the authority, duties, powers, jurisdiction and term of the municipal judge or judges shall terminate.

(f) In the event a municipality ceases to have a municipal court the judges of such courts entitled to receive commissions as district judges pursuant to the Constitution may be commissioned district judges as provided by the constitution.

8-113. Re-establishment of municipal court.—Any municipality which shall have abolished its municipal court may thereafter by ordinance re-establish such court in the following manner:

(a) A copy of the proposed ordinance shall be sent by certified mail to the officers specified in section 8-112 to receive notice of the abolition of municipal courts, together with notice stating the time and place of the meeting at which such ordinance shall be considered for adoption, which shall be no less than fifteen (15) days from the date of mailing such notice.

(b) Such ordinance upon its adoption shall specify the effective date of the re-establishment of the municipal court, which in no event shall be sooner than the following stipulated minimums:

(1) In municipalities of a population of 5,000 or less, the ordinance shall not have an effective date of less than 90 days subsequent to the date of adoption.

(2) In municipalities of a population of 5,001 and up to 50,000, the ordinance shall not have an effective date of less than 12 months subsequent to the date of adoption.

(3) In municipalities of a population of 50,000 or more, the ordinance shall not have an effective date of less than five years subsequent to the date of adoption.

(4) A certified copy of the ordinance re-establishing a municipal court as adopted will be transmitted forthwith by certified mail to the officers specified in section 8-112 to receive notice of the abolition of municipal courts.

(c) All cases and processes pending upon the effective date of the re-establishment of the municipal court shall be delivered by the clerk of the district court to the clerk of the municipal court. Records of completed cases and inactive process shall be retained in the office of the clerk of the district court.

(d) On the effective date of transfer of pending cases as provided in this section all proceedings relating to ordinance violations of the of the municipality re-establishing its municipal court shall be within the jurisdiction of the re-established municipal court.

8-114. Defense of indigents.—A municipality which retains its court shall provide indigent defense services as otherwise provided by law.

8-115. Reports.—Municipalities shall report on the proceedings of their municipal courts as required by law or rule.

8-116. Judicial notice.—A municipal court shall take judicial notice of the ordinances of the municipality in which it sits.

8-117. Apportionment of court costs fines and forfeitures.—When a municipal court is abolished as provided by law, the court costs, fines and forfeitures collected by the court clerk as a result of enforcement of ordinances of the municipality shall be remitted as follows: ninety (90) percent of the fines and forfeitures and ten (10) percent of the costs, exclusive of earmarked funds, shall be paid to the treasurer of the municipality, or to the officer corresponding to the treasurer thereof within thirty (30) days after receipt by the clerk of the circuit and/or district court.

8-118. Traffic infractions procedure.—All municipalities shall utilize the uniform traffic infractions procedure as provided by law or rule.

8-119. Express repealer.—

(a) The following sections of Title 37 of the Code of Alabama, 1940, are hereby expressly repealed: Section 582, entitled "Recorder defined;" Section 583, entitled "Recorders, number of, election of, jurisdiction of;" Section 584, entitled "Election of recorder by commissioners in cities operating under commission form of government; compensation; term of office;" Section 585, entitled "Recorders; jurisdiction, powers and duties of;" Section 586, entitled "Recorder; power to fine, punish, imprison, and sentence to hard labor," as amended by Act No. 2233, approved October 1, 1971; Section 587, entitled "Appeal from recorder's court," as amended by Act No. 374, approved September 8, 1955; Section 588, entitled "Judgments on appeals from recorder's court; proceedings thereon;" Section 589, entitled "Exoneration of surety on appeal bond before conditional judgment;" Section 590, entitled "Exoneration after conditional judgment;" Section 591, entitled "Giving new bail; effect of;" Section 592, entitled "Prison dues; convict delivered to sheriff;" Section 593, entitled "Appeal to supreme court;" Section 594, entitled "Recorder; concurrent jurisdiction with county court; judgment of one, bar to prosecution;" Section 595, entitled "Fines and punishments same as in state courts;" Section 596, entitled "Preliminary proceedings before recorder;" Section 597, entitled "Recorder, powers of additional;" Section 598, entitled "Sheriffs shall obey officer and execute process;" Section 599, entitled "Mayor may remit fines and commute sentences;" and Section 600, entitled "Mayor ex-officio recorder."

(b) The following acts or sections of acts are hereby expressly repealed: Act No. 403, approved August 16, 1965 (Section 588[1] of Title 37 of the Recompiled Code); Act No. 665, approved September 6, 1961

(Section 597[1] of Title 37 of the Recompiled Code); and Act No. 1108, approved September 12, 1969 (Section 600[1] of Title 37 of the Recompiled Code).

Article 9. DEFENSE OF INDIGENTS.

Article 10. PROBATION SERVICES.

Article 11. ADMINISTRATIVE DIRECTOR OF COURTS.

Article 12. JUDICIAL COMPENSATION COMMISSION.

Article 13. JUDICIAL INQUIRY COMMISSION.

Article 14. COURT OF THE JUDICIARY.

Article 15. JUDICIAL CONFERENCE.

Article 16. COURT FINANCES.

Article 17. APPROPRIATIONS.

Article 18. SEVERABILITY; REPEALER; AND EFFECTIVE DATE.

18-101. Severability. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the parts which remain.

18-102. Repealer; provisions cumulative. All laws or parts of laws which conflict with this Act are repealed. The provisions of this Act are cumulative and shall not be construed to repeal or supercede any laws not inconsistent herewith.

18-103. Effective date.—This Act shall become effective immediately upon its passage and approval by the governor, except to the extent otherwise provided herein, or upon its otherwise becoming a law.

#### SUBSTITUTE TABLED

On motion of Mr. Hill, the substitute offered by Mr. Killian to the bill, S. 400 as amended, was tabled.

Yeas 74; Nays 24.

Yeas:

Messrs.: Albright, Armstrong, Baker, Barron, Boles, Brindley, Callahan, Campbell, Carter, Cates, Coburn, Cooper, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (R), Johnson, Johnstone, Kelley, Kinsey, Lee, LeFlore, Leonard, Lewis, McCluskey, McNair, McNees, Malone, Martin, Mitchem, Morris, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Smith (C), Smith (J), Sonnier, Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, Williams and Wyatt.

—74

Nays:

Mr. Speaker, Andrews, Biddle, Carothers, Clark, Crawford, Gafford, Higginbotham, Jackson (F), Jolly, Killian, Lockett, Lutz, McCulley, Manley, Merrill, Moore (O), Moore (W), Naramore, Shelton, Smith (B), Smith (M), Trammell and White.

—24

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 464. To further amend Section 89, Title 36, Code of Alabama 1940, as amended, which section regulates the size of motor vehicles allowed to travel on the public highways of this state, so as to further regulate the size of certain motor vehicles.

McDOWELL LEE,  
Secretary.

## SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

## S. 400 RESUMED

## MOTION TO RECONSIDER

Having voted on the prevailing side, Mr. Kennedy offered the motion to reconsider the vote by which the amendment No. 2 offered by Mr. Armstrong to the bill, S. 400 as amended, was adopted.

## MOTION TO TABLE LOST

The motion offered by Mr. Armstrong to table the motion to reconsider offered by Mr. Kennedy, was lost.

Yeas 41; Nays 49.

Yeas:

Mr. Speaker, Armstrong, Barron, Callahan, Carothers, Clark, Crawford, Cross, Dial, Drake, Folmar, Gafford, Glass, Greer, Higginbotham, Hill, Jackson (F), Kinsey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Owens, Plaster, Quarles, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (M), Sparks, Waggoner, Warren, White, Williams and Wyatt.

—41

Nays:

Messrs.: Andrews, Baker, Boles, Brindley, Carter, Cates, Cooper, Crowe, Edwards, Falkenburg, Ford, Goodwin, Hall, Harris, Harrison, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Lee, LeFlore, Leonard, Lewis, Lockett, McCluskey, McMillan, Malone, Moore (O), Pegues, Porter, Reed, Rich, Robertson, Smith (B), Smith (C), Smith (J), Sonnier, Starkey, Taylor, Tucker, Turnham and Venable.

—49

## MOTION TO RECONSIDER ADOPTED

The question was then on the motion offered by Mr. Kennedy to reconsider the vote by which the amendment No. 2 offered by Mr. Armstrong to the bill, S. 400 as amended, was adopted, and the motion was adopted.



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Yeas 58; Nays 39.

*Yeas:*

Messrs.: Albright, Andrews, Baker, Biddle, Boles, Brindley, Campbell, Carter, Cates, Cooper, Crawford, Edwards, Falkenburg, Ford, Goodwin, Greer, Hall, Harris, Harrison, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (R), Johnson, Johnstone, Kennedy, Killian, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, Malone, Manley, Moore (O), Moore (W), Morris, Owens, Pegues, Porter, Quarles, Reed, Rich, Robertson, Smith (B), Smith (C), Smith (J), Starkey, Taylor, Tucker and Venable.

—58

*Nays:*

Mr. Speaker, Armstrong, Barron, Callahan, Carothers, Clark, Coburn, Cross, Crowe, Dial, Drake, Folmar, Gafford, Glass, Higginbotham, Hill, Jackson (F), Kinsey, McCulley, McNees, Martin, Merrill, Mitchem, Plaster, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (M), Sonnier, Teague, Trammell, Turnham, Waggoner, Warren, White, Williams and Wyatt.

—39

AMENDMENT TABLED

On motion of Mr. Johnstone, the amendment No. 2 offered by Mr. Armstrong to the bill, S. 400 as amended, was tabled.

Yeas 60; Nays 34.

*Yeas:*

Messrs.: Albright, Andrews, Baker, Biddle, Brindley, Callahan, Campbell, Carter, Cates, Clark, Cooper, Cross, Drake, Edwards, Falkenburg, Ford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (R), Johnson, Johnstone, Kennedy, Killian, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Malone, Merrill, Moore (O), Pegues, Porter, Quarles, Reed, Rich, Riddick, Robertson, Sandusky, Smith (B), Smith (C), Starkey, Taylor, Tucker and Turnham.

—60

*Nays:*

Mr. Speaker, Armstrong, Barron, Boles, Carothers, Coburn, Crawford, Dial, Folmar, Gafford, Glass, Higginbotham, Hill, Jackson (F), Kelley, Kinsey, McCulley, Martin, Mitchem, Moore (W), Morris, Owens, Roberts, Sasser, Shelton, Smith (M), Sonnier, Teague, Trammell, Waggoner, Warren, White, Williams and Wyatt.

—34

And the bill, S. 400 as thus amended, was read a third time at length and passed.

Yeas 100; Nays 1.

*Yeas:*

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy,

Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, White, Williams and Wyatt.

—100

Nay: Mr. Moore (W).

—1

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Crowe, the rules were suspended in order to bring up out of order on the Special Order Calendar, the bill, S. 712.

And the bill:

S. 712. To amend Section 401, Title 51 of Code of Alabama 1940, so as to define further, gross income of a corporation which adopts a plan of complete liquidation in accordance with Section 337 of the Internal Revenue Code of the United States, and to amend Code of Alabama Title 33, Section 9 relative to filing notice of a tax lien under the provisions of federal law.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Gregg, Harris, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Whatley, White, Williams and Wyatt.

—83

#### SPECIAL ORDER RESUMED

And the bill:

S. 901. Relating to the Twenty-Fifth Judicial Circuit; providing for an additional circuit judge in such circuit.

Was read a third time at length and passed.

Yeas 65; Nays 3.

Yeas:

Messrs.: Albright, Armstrong, Baker, Barron, Boles, Brindley, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Holley, Holmes, Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McMillan, McNees, Malone, Merrill, Moore (O), Moore (W), Naramore, Plaster, Quarles, Rich, Riddick,

Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Tucker, Turnham, Venable and Waggoner.

—65

*Nays:* Messrs.: Higginbotham, Leonard and Whatley.

—3

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL 1488

We the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the Senate's amendment to H. B. 1488 have met, considered the bill as amended, and have agreed to the following report:

1. We recommend that the House and Senate each recede from its amendment to the bill.

2. We recommend that the bill be amended as follows and as so amended then be passed by both houses:

In Section 1, on line 20 strike out the word "except" after the word "commission" and insert in lieu thereof the word

including

Respectfully submitted,

J. T. Waggoner, Jr.

Curtis Smith

Otis H. Moore, Jr.

Conferees on the part of the House

E. H. Gilmore

Obie J. Littleton

Conferees on the part of the Senate

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Moore (O), the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 1488, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 71; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Campbell, Carothers, Cates, Coburn, Cooper, Crawford, Cross, Falkenburg, Folmar, Ford, Greer, Gregg, Hall, Higginbotham, Hill, Hilliard, Holmes, Howard, Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCulley, McMillan, Malone, Manley, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Whatley, White, Williams and Wyatt.

—71

And the bill:

H. 1488. To provide that the Shelby County Commission is authorized to provide an additional expense allowance to certain county officers.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Drake, Falkenburg, Folmar, Ford, Gafford, Greer, Gregg, Hall, Higginbotham, Hill, Hilliard, Holmes, Howard, Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCulley, McMillan, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Whatley, Williams and Wyatt.

—71

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 462. To provide an expense allowance for each member of the county commission of all counties having a population of not less than 27,900 nor more than 33,500 inhabitants according to the most recent federal decennial census, which shall supercede any provision heretofore made for expense allowances of such commissions; and providing that the provisions of this Act shall have a retroactive effect.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mrs. Quarles, the House non-concurred in the Senate amendment to the bill, H. 462, said Senate amendment being as follows:

#### A BILL TO BE ENTITLED AN ACT

To provide expense allowances, payable out of the county treasury of all counties having a population of not less than 27,900 nor more than 33,500 inhabitants according to the most recent federal decennial census, to certain officers, which expense allowances shall be in lieu of any expense allowances heretofore made for such officers; and to provide that the provisions of this Act shall have a retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply to all counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census.

Section 2. Each member of the county commission in any county to which this Act applies shall receive an expense allowance of \$300 per month. In addition, each member of the county commission may be reimbursed for travel and actual expenses incurred on official business outside the county. Said amount reimbursed shall not exceed \$900 per member per annum. The above expenses are in addition to any salary now authorized but in lieu of any existing travel expense or other expense

allowance. The above expenses may be paid out of the gasoline tax fund accruing to the county.

Section 3. The judges of the circuit court in the circuit of which any county to which this Act applies is a part and the district attorney of such circuit shall, each, receive an expense allowance of \$500 per month. The above expense allowance shall be in addition to any salary now authorized for such judges and such district attorney by law but shall be in lieu of any existing expense allowance, payable out of the county treasury of any county to which this Act applies to such judges and to such district attorney. The above expense allowance shall be paid out of the general fund of the county.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this Act shall supersede all laws or parts of laws, general or special, which deal with the expense allowances or reimbursements of the officers hereinabove mentioned in the counties affected by this Act.

Section 6. This Act shall have retroactive effect to January 1, 1975.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Biddle, Boles, Campbell, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Edwards, Falkenburg, Folmar, Ford, Gafford, Greer, Gregg, Hall, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCulley, Malone, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Porter, Reed, Rich, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Turnham, Venable, Waggoner, Whatley, White and Williams.

—70

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs.: Perry, Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop and Wilson:

S. J. R. 158. MOURNING THE DEATH OF FORMER SENATOR L. L. "DAGO" DOZIER.

WHEREAS, the Alabama Legislature notes with a sense of deep regret the death of our former colleague and Senator, L. L. "Dago" Dozier; and

WHEREAS, Senator Dozier was born in Hurtsboro, Alabama on October 27, 1914 and attended Auburn University; and

WHEREAS, our friend served with distinction in the Senate of Alabama from 1970 to 1974; and

WHEREAS, this public servant and influential leader used his many talents for the betterment of his community and state; and

WHEREAS, Senator Dozier was recognized for his vast business acumen and served as a member of the Advisory Committee of the Small Business Administration; and

WHEREAS, Mr. Dozier was a Kiwanian and a member of many other charitable and civic organizations; and

WHEREAS, "Dago" has attracted many friends whose number are legion; and

WHEREAS, Senator L. L. ("Dago") Dozier is survived by his wife, Mary Nell, and three children, Carey and Cecil Dozier and Mrs. Wayne Dickens; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we keenly feel and mourn the death of our good friend and former colleague, and extend our heart felt sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

MCDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Folmar, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 158, set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its Consideration:

By Messrs.: Ellis, Clemon, McMillan, Pearson, Gilmore, Vacca, Littleton and Wilson:

S. J. R. 161. CREATING A JOINT INTERIM COMMITTEE TO STUDY THE PERMANENT FINANCING OF JEFFERSON COUNTY HEALTH DEPARTMENT AND TRANSIT AUTHORITY.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that there be and hereby is created an Interim Committee for the purpose of studying the permanent financing of the Jefferson County Health Department and public transit authority, to meet during the interim between the effective date of this resolution and the first session of the Legislature in 1976 following. Such Committee shall make a careful investigation and study into ways and means of permanently financing the Jefferson County Health Department and public transit authority for Jefferson County, and report in writing its findings and recommendations to the respective Jefferson County Senate and House delegations on or before the fifth legislative day of the first session of the Legislature in 1976.

The Committee shall be composed of the following persons: Three persons from the Jefferson County Senate delegation appointed by its chairman; three persons from the Jefferson County House delegation appointed by its chairman; the president of the Jefferson County Mayors' Association, president of the Jefferson County Commission, and the president of the Birmingham City Council; a representative selected by the

Jefferson County Health Department and a representative selected by the Birmingham-Jefferson County Transit Authority.

The initial meeting shall be held at the call of the chairman of the Senate and House delegations, and at that meeting the Committee shall elect from its membership a chairman and secretary. Thereafter, the meetings shall be held at the call of the elected chairman, at a time and place designated by the Committee. The Committee shall make its own rules for the conduct of its business. The elected chairman shall have full voting privileges. He may appoint subcommittees and invest them with such authority as may be deemed necessary to conduct the Committee's business and expedite its work. The Committee shall seek such professional and technical assistance as it may deem necessary in resolving the problems of the permanent financing of the Jefferson County Health Department and public transit authority.

The members of the Committee shall serve without compensation.

Upon the Committee rendering its written report to the respective delegations, the Committee shall stand dissolved.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Gafford, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 161, set out in the above and foregoing Message from the Senate.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Starkey, the rules were suspended in order to receive the amended bill, H. 600, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 600. Relating to the profession and practice of optometry; defining the practice and profession of optometry; providing for the licensing, examination, and regulation of optometrists; abolishing the State Board of Optometry; creating the Alabama Board of Optometry, and prescribing its powers, duties and authority; providing for the issuance of temporary licenses, limited licenses, licenses, license certificates and annual registration certificates, and prescribing the qualifications of persons to practice optometry; providing for the collection and disbursement of examination and other fees and charges; authorizing the Alabama Board of Optometry to examine applicants for licenses and license certificates, and to issue and deny licenses, and to conduct hearings and to initiate legal proceedings to impose sanctions against licensees for violating the provisions of this act; and providing for the enforcement of the act and prescribing penalties for violations thereof; repealing Chapter 11 of Title 46, Code of Alabama (1940) and any other laws which conflict with this act.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

Mr. Starkey offered the motion that the House non-concur in the Senate amendment to the bill, H. 600, said Senate amendment being as follows:

Amend H. B. 600, Section 17, page 19, by deleting lines 26 through 30 and substituting in lieu thereof the following: required for the sale, preparation or dispensing of eyeglasses or spectacles in a retail optical dispensary or from a store, shop or other permanently established place of business with an optical department on prescription of a duly licensed physician skilled in diseases of the eyes or a duly licensed optometrist authorized to practice under the laws of this state. Hard contact lenses may be sold or dispensed in a retail optical dispensary or other permanently established place of business with an optical department only when authorized by an optometrist or ophthalmologist and the prescription therefor contained all necessary data. Provided, however, this shall not be construed as authorizing any optician or other person selling eyeglasses or contact lenses on prescription as authorized above to use any instrumentation or determine any data by performing any type of examination or corneal evaluation necessary for the fitting of contact lenses or to use any drugs in relation thereto.

Amend Section 2 of House Bill 600 by deleting paragraphs (1) and (2) and substituting in lieu thereof the following:

(A) The practice of optometry is defined to be any of the following:

(1) Any examination of the human eyes and visual system for the purpose of; (a) ascertaining any departure from the normal; (b) ascertaining the status of the human visual system, including the refractive and functional abilities thereof; or (c) ascertaining the presence of ocular disease or ocular manifestations of systemic disease and any other departure from the normal which may require referral to other health care practitioners.

(2) The diagnosis and treatment of the refractive and functional ability of the visual system for the purpose of the prevention, rehabilitation, correction and relief of anomalies of the visual system or visually related symptoms or disabilities or the enhancement of visual performance in accordance with accepted teaching by means of any or all of the following: (a) the prescribing and employment of ophthalmic lenses, prisms, frames, ophthalmic aids, and prosthetic materials; (b) the prescribing and employment of contact lenses; (c) administering visual training, orthoptics and pleoptics; and (d) providing advice regarding environmental factors which influence visual performance, safety and comfort. Provided, however, nothing in this section shall be construed so as to permit the administering of drugs in any form or prescribing of drugs for the medical treatment of eye diseases or the performing of surgery of any nature for any purpose. Nothing in this section shall be construed so as to prevent the use and prescribing of the soft-lens or hydrophilic contact lenses and the solutions commonly used in the prescribing and fitting of contact lenses, and providing further that nothing in the Act shall be construed as repealing or affecting the provisions of Title 49, Section 32 (8), Code of Alabama 1940, as amended.

Amend House Bill 600 on page 19 by adding the following after the period at the end of line thirty (30) and renumbering subsequent lines:

"Provided, however, that nothing in this Act shall apply in any way to any licensed physician; nor to any physician assistant or ophthalmic assistant program conducted under any accredited state university program; nor to any physician's assistant as defined in Act No. 1948, Acts of Alabama, 1971 Regular Session Page 3146, approved September 20, 1971. Nothing in this Act shall be construed as preventing an ophthalmologist from using assistants normally used in his practice under his supervision in the office in which such ophthalmologist normally actually practices his profession, and nowhere else.



SUBSTITUTE MOTION TABLED

On Motion of Mr. Starkey, the substitute motion offered by Mr. Cooper to temporarily carry over the bill, H. 600 with Senate amendment, was tabled.

Yeas 51; Nays 22.

*Yeas:*

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Drake, Folmar, Goodwin, Greer, Gregg, Hines, Hopping, Jackson (F), Jolly, Kelley, Killian, Lutz, McCluskey, Manley, Martin, Mitchem, Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sasser, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Taylor, Teague, Waggoner, Weeks and Williams.

—51

*Nays:*

Messrs.: Hall, Harrison, Hilliard, Holmes, Jackson (R), Johnson, Johnstone, Kennedy, LeFlore, Leonard, Lewis, McCulley, McNair, Malone, Moore (O), Shelton, Smith (M), Trammell, Tucker, Venable, Whatley and Wyatt.

—22

SENATE MESSAGE

The question was then on the adoption of the Senate amendment to the bill, H. 600, and the House concurred in and adopted the Senate amendment.

Yeas 65; Nays 11.

*Yeas:*

Mr. Speaker, Andrews, Baker, Biddle, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Harris, Hill, Hines, Hopping, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, LeFlore, Leonard, Lockett, Lutz, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Taylor, Teague, Trammell, Venable, Waggoner, Weeks, Williams and Wyatt.

—65

*Nays:*

Messrs.: Cooper, Hall, Harrison, Hilliard, Jackson (R), Kennedy, Lewis, McCulley, Naramore, Smith (M) and Whatley.

—11

And the bill, H. 600 as amended, was again read at length and passed.

Yeas 69; Nays 6.

*Yeas:*

Mr. Speaker, Andrews, Baker, Biddle, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Harris, Hill, Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Killian, LeFlore, Leonard, Lockett, Lutz, McCluskey, Manley, Martin, Merrill,

Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Venable, Waggoner, Weeks, White, Williams and Wyatt.

—69

*Nays:*

Messrs.: Hilliard, Jackson (R), Lewis, McCulley, McNair and Tucker.

—6

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Johnson, the rules were suspended in order to receive the amended bill, H. 1489, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1489. To amend a portion of Section 3, Act No. 1948, H. 1151, Acts of Alabama, 1971, Regular Session, page 3146, approved September 20, 1971.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Johnson, the House concurred in and adopted the Senate amendment to the bill, H. 1489, said Senate amendment being as follows:

Amend H. B. 1489 by deleting the word "physician" on page 1, line 30, and inserting in lieu thereof "ophthalmologist".

Yeas 82; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Drake, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCulley, McMillan, McNair, Malone, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Trammell, Tucker, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—82

And the bill, H. 1489 as thus amended, was again read at length and passed.

Yeas 80; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Crawford, Cross,

Drake, Edwards, Falkenburg, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCulley, McMillan, Malone, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—80

#### REPORT OF THE CONFERENCE COMMITTEE

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, House Bill 821, have met and considered the matter referred and beg leave to report as follows:

Substitute House Bill 821 is attached and we recommend its passage.

Robert T. Crowe  
Edward D. Robertson  
Joel M. Folmar  
Conferees on the part of the House  
  
Fred R. Jones  
Maston Mims  
C. C. Torbert  
Conferences on the part of the Senate

#### A BILL TO BE ENTITLED AN ACT

Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office and compensation of the additional two members.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the existing members of the State personnel Board the Governor shall appoint, from a list of names submitted to him by the Alabama State Employees Association, two additional members of said board who shall serve two year terms, one of which shall be a member of a minority race. The Alabama State Employees shall at their annual convention in March, 1976, select the names of six persons from which the Governor shall make his first two appointments, and annually thereafter at each annual convention the names of the three persons to be submitted to the Governor under the provisions of this Act. Provided that these persons need not be members of the Alabama State Employees Association and all state employees shall be eligible to vote in said elections. The President of the Alabama State Employees Association shall forthwith submit said list of names to the Governor who shall make his selection within 30 days from the receipt of said list by his office.

The term of office of the two additional members of the State Personnel Board appointed under the provisions of this Act shall begin on the first of the month next succeeding their selection by the Governor and they shall serve two year terms or until their successors are selected

and appointed, provided however that the first appointments made shall be one year for one member and two years for the second member. In the event any member of the State Personnel Board appointed under the provisions of this Act shall die, resign or become incapacitated before the expiration of his term of office, his successor shall be immediately named by the Governor from among a list of three names of merit system state employees submitted by the president of the Alabama State Employees Association.

Any person appointed under the provisions of this act shall receive the same expenses provided for other members of the Board, but no additional compensation, other than their regular pay as state employees. Any person appointed under the provisions of this Act shall be carried on administrative leave when attending meetings of the Board.

All other provisions of law relating to members of the State Personnel Board that do not conflict with the provisions of this Act shall apply to the two members appointed hereunder, except that both members may be appointed from the same congressional district, or the same congressional district of any other member of the Board.

Section 2. The board shall adopt and implement a written affirmative action plan to insure equal opportunity of employment in all facets of its activities.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### COMMITTEE ON CONFERENCE REPORT ADOPTED

On motion of Mr. Robertson, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 821, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 63; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Campbell, Carter, Clark, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnson, Kinsey, Lee, Lewis, Lockett, Lutz, McMillan, Moore (O), Moore (W), Naramore, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Smith (B), Sparks, Taylor, Trammell, Tucker, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—63

Nay: Mr. McNair.

—1

And the bill:

H. 821. Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the

selection, appointment, term of office and compensation of the additional two members.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 66; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Campbell, Carothers, Carter, Clark, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Gregg, Hall, Harris, Harrison, Higginbotham, Hilliard, Hines, Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McMillan, Martin, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Smith (B), Sparks, Taylor, Trammell, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—66

Nay: Mr. McNair.

—1

#### RESOLUTION

The following resolution was introduced:

By Messrs.: Lockett, Pegues and Edwards:

H. R. 435. COMMENDING BENJAMIN F. BEERS, JR., OF SARDIS UPON EARNING THE TITLE OF "KING COTTON".

WHEREAS Benjamin F. Beers, Jr. of Sardis recently earned the title of "King Cotton" in a statewide contest sponsored by the Co-operative Extension Service; and

WHEREAS Mr. Beers earned said title with an outstanding yield of 1,392 pounds per acre on 40.3 acres; and

WHEREAS Mr. Beers achieved this coveted title in a year in which cotton production has suffered because of wet spring weather and problems with insects; and

WHEREAS the entire agricultural industry of Dallas County and the State of Alabama salutes one of its finest; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That we heartily commend and congratulate Benjamin F. Beers, Jr. of Sardis upon being acclaimed as "King Cotton" for the State of Alabama.

RESOLVED FURTHER That a copy of this resolution be sent to Benjamin F. Beers, Jr. and his family.

On motion of Mr. Reed, the rules were suspended and the resolution, H. R. 435, was adopted.

#### UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show all members added as co-sponsors to the resolution, H. R. 435.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL 803

We the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the Senate's amend-

ment to H. B. 803 have met, considered the bill as amended, and have agreed to the following report:

1. We recommend that the Senate recede from that part of its amendment to the bill relative to Section 7.

2. We recommend that the bill as introduced be amended as follows and then passed by both houses:

On page 1, line 27, strike out the figures: "\$800.00" and insert in lieu thereof the following: \$1,000.00

Also on page 1, line 29, strike the figures "\$600.00" and insert in lieu thereof the following: \$700

Respectfully submitted,

Walter Owens

Frank Jackson

Monroe Smith

Conferees on the part of the House

Richard Shelby

E. H. Gilmore

Joe Fine

Conferees on the part of the Senate

#### COMMITTEE ON CONFERENCE REPORT ADOPTED

On motion of Mr. Owens, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 803, said Senate amendment being set out in the above and foregoing Report of the Committee on Conference.

Yeas 64; Nays 0.

#### Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Brindley, Carothers, Carter, Cates, Clark, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Gregg, Harris, Hines, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lutz, McCluskey, McMillan, Martin, Mitchem, Moore (O), Moore (W), Naramore, Owens, Plaster, Quarles, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—64

#### And the bill:

H. 803. To amend Sections 6, 7 and 10 of Act No. 727, H. 1714, 1973 Regular Session (Acts of 1973, p. 1086) relating to Bibb County so as to provide further for the method of compensation of the probate judge and his assistants, the assistants of the circuit clerk and to change the effective date as to the probate judge and his assistants to July 1, 1975.

As amended by the Report of the Committee on Conference, was again read at length and passed.

REGULAR SESSION  
36th Day

4273

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Brindley, Campbell, Carothers, Carter, Cates, Clark, Crawford, Cross, Crowe, Edwards, Falkenburg, Folmar, Ford, Gafford, Gregg, Harris, Hines, Holmes, Hopping, Howard, Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lutz, McCluskey, McMillan, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sparks, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—65

RESOLUTION

The following resolution was introduced:

By Messrs. Reed and Drake:

H. R. 436. PRAISING JOHN WILLIAM PEMBERTON, CLERK OF THE HOUSE FOR THE MANNER IN WHICH HE HAS PERFORMED HIS RESPONSIBILITIES.

WHEREAS, John William Pemberton, Clerk of the House, has performed his responsibilities with efficiency, dedication, diligence, and impartiality; and

WHEREAS, his experience and expertise have been invaluable to the freshmen members of this body; and

WHEREAS, the adroitness and dignity in which Mr. Pemberton has executed his office have been an inspiration to all; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we do heartily commend John William Pemberton who has so ably and admirably performed the duties of his office, and we do thank him for his immeasurable assistance to this body and all who call upon him.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to the Honorable John W. Pemberton as a mark of our appreciation and a token of our high esteem.

On motion of Mr. Lockett, the rules were suspended and the resolution, H. R. 436, was adopted.

REPORT OF CONFERENCE COMMITTEE ON H. B. 490

We, your Committee on Conference appointed to reconcile the differences between the two Houses on the Bill, H. B. 490, beg leave to report as follows:

That the House of Representatives and the Senate of Alabama adopt the accompanying Conference substitute.

Rep. Hugh Merrill  
Rep. Walter Owens  
Rep. Richard Manley  
Conferees on part of the House  
Senator L. D. Owen  
Senator Crum Foshee  
Senator Robert Wilson  
Conferees on part of the Senate

A BILL  
TO BE ENTITLED  
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations herein made: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle, operations, lights, water, power, insurance and bonding, printing and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes: (c) "equipment purchases" shall mean those items of office equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for the fiscal year ending September 30, 1976, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall not be increased by the expenditure of any revenue derived from the sale, trade-in or exchange of the items of personal property described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

## FROM THE GENERAL FUND

## I. LEGISLATIVE:

## (1) EXPENSES OF THE LEGISLATURE:

- (a) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature .....

2,500,000.00



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(b) National Conference of State Legislators .....	22,500.00
(For the the purpose of paying the State's share of the operation of the National Conference of the State Legislatures.)	
(c) For the printing of Legislative Acts and Jour- nals, Estimated .....	125,000.00
(d) For Legislative Council expenses .....	50,000.00
<b>(2) LEGISLATIVE REFERENCE SERVICE:</b>	
(a) For operation of the Department:	
For salary of the Director ....	24,042.00
For other salaries .....	338,394.00
For other expenses .....	26,100.00
For equipment purchases .....	2,000.00
Total .....	390,536.00
(b) Commission on Intergovernment Cooperation:	
For salaries, other expenses, equipment purchases and Matching Federal Funds.....	105,000.00
(Any portion of the above appropriation to be used for Reorganization of the State Government project and employees shall not be subject to the provisions of the Merit System Law.)	
(c) Code Revision:	
For salaries and expenses, Estimated .....	10,000.00
<b>(3) DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS:</b>	
For salary of the Chief Examiner .....	22,729.00
For salary of the Assistant Chief Examiner .....	21,502.00
For other salaries .....	1,796,769.00
For other expenses .....	445,000.00
For equipment purchases .....	9,000.00
Total .....	2,295,000.00

**II. JUDICIAL:**

**(1) THE SUPREME COURT:**

For the salaries of the Chief Jus- tice and eight Associate Justices .....	301,500.00
For the salary of the Clerk of Court, Est. ....	26,130.00
For the salary of the Marshal and Librarian, Estimated .....	26,130.00
For the salary of Reporter of Decisions, Estimated .....	21,502.00
For the salaries of Law Clerks, Estimated .....	110,214.00
For other salaries .....	356,524.00
For other expenses .....	85,000.00
For equipment purchases .....	5,000.00
For printing Alabama Reports, Estimated .....	13,000.00
For Advisory Committee Work ....	5,000.00

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For Judicial Education .....	5,000.00	
Total .....		955,000.00
For the Supreme Court Library Fund .....		85,000.00
(2) COURT OF CRIMINAL APPEALS:		
For the salaries of the Judges .....	165,000.00	
For the salary of Clerk of Court, Estimated .....	26,130.00	
For the salaries of Law Clerks, Estimated .....	61,230.00	
For other salaries .....	112,125.00	
For other expenses .....	31,000.00	
For equipment purchases .....	5,000.00	
For printing Appellate Court Re- ports, Estimated .....	8,000.00	
Total .....		408,485.00
(3) COURT OF CIVIL APPEALS:		
For the salaries of the Judges .....	99,000.00	
For the salaries of Law Clerks, Estimated .....	39,238.00	
For the salary of Clerk of Court, Est. ....	26,130.00	
For other salaries .....	72,915.00	
For other expenses .....	18,500.00	
For rental of office space .....	27,125.00	
For equipment and book pur- chases .....	1,000.00	
For printing Appellate Court Re- ports, Estimated .....	7,200.00	
Total .....		291,108.00
(4) THE CIRCUIT COURTS:		
For the salaries of the Judges of the Circuit Courts, Estimated .....		2,450,000.00
For travel expenses of Circuit Judges, Estimated .....		25,000.00
For College of Trial Judges, as provided in Act No. 730, 1967 Regular Session .....		10,000.00
For telephone service, stationery, stamps, books, equipment purchases and necessary office supplies for the office use of Circuit Judges .....		50,000.00
For the salaries and travel expenses of special Judges, Estimated .....		15,000.00
For salaries of District Attorneys, Estimated .....	936,000.00	
For salary of elected Deputy Dis- trict Attorney of the Bessemer Division of the 10th Judicial Circuit .....	23,000.00	
For the salary of the appointed Assistant Deputy District Attor- ney of the Bessemer Division of the 10th Judicial Circuit .....	3,600.00	
For the salary of the First Deputy District Attorney of the Bir- mingham Division of the 10th Judicial Circuit .....	5,700.00	

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For the salaries of the Second and Third Deputies District Attorneys of the Birmingham Division of the 10th Judicial Circuit	10,000.00
For the salaries of the Fourth, Fifth, Sixth, Seventh and Eighth Deputies District Attorneys of the Birmingham Division of the 10th Judicial Circuit: \$4,000.00 each	20,000.00
For the salary of the Deputy District Attorney of the 1st Judicial Circuit	3,600.00
For the salary of the Deputy District Attorney of the 4th Judicial Circuit, Estimated	24,000.00
For the salaries of the Deputies District Attorneys of the 6th Judicial Circuit	14,400.00
For the salary of the Deputy District Attorney of the 7th Judicial Circuit	6,900.00
For the salary of the Deputy District Attorney of the 8th Judicial Circuit	10,800.00
For the salaries of the Deputies District Attorneys of the 9th Judicial Circuit	7,200.00
For the salary of the Deputy District Attorney of the 10th Judicial Circuit	22,000.00
For the salary of the Deputy District Attorney of the 11th Judicial Circuit	4,500.00
For the salaries of the Deputies District Attorneys of the 13th Judicial Circuit, Estimated	39,625.00
For the salary of the Assistant District Attorney of the 14th Judicial Circuit	7,200.00
For the salaries of the Deputies District Attorneys of the 15th Judicial Circuit	38,600.00
For the salaries of the Deputies District Attorneys of the 16th Judicial Circuit	6,000.00
For the salaries of the Deputies District Attorneys of the 23rd Judicial Circuit	42,000.00
For the salaries of the Deputies District Attorneys of the 26th Judicial Circuit	13,000.00
For the salary of the Deputy District Attorney of the 27th Judicial Circuit	7,200.00
For the salary of the Deputy District Attorney of the 29th Judicial Circuit	7,200.00

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For the salaries of the Deputy District Attorneys of the 31st Judicial Circuit .....	4,200.00
For the salary of the Deputy District Attorney for the 32nd Judicial Circuit .....	9,600.00
For the salary of the Deputy District Attorney for the 38th Judicial Circuit .....	3,600.00
For the travel expenses of the District Attorneys, Estimated ..	40,000.00
For the salary of the stenographic secretary of the 6th Judicial Circuit .....	1,200.00
For telephone service, stationery, stamps and necessary office supplies for the office use of the District Attorneys, Deputy District Attorneys or Assistants .....	50,000.00
(Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)	
For the salaries of the Public Defenders for the 21st Judicial Circuit, as provided by Act No. 1158, 1969 Regular Session .....	24,000.00
Total .....	1,385,125.00
For the salary and expenses of Supernumerary District Attorneys, Estimated .....	125,737.00
<b>(5) DEPARTMENT OF COURT MANAGEMENT:</b>	
For transfer to the Department of Court Management Fund .....	78,666.00
<b>(6) COURT REPORTERS:</b>	
For the compensation of the Circuit Court Reporters, Estimated .....	350,000.00
For the compensation of the Supernumerary Circuit Court Reporters, Estimated .....	70,000.00
<b>(7) SUPERNUMERARY JUDGES:</b>	
For salaries of Supernumerary Judges and Justices, Estimated .....	275,000.00
For expenses of Supernumerary Judges and Justices, Estimated .....	35,000.00
<b>(8) JUDICIAL INQUIRY COMMISSION</b> .....	44,500.00
<b>(9) JUDICIAL RETIREMENT FUNDS, ESTIMATED</b> .....	885,000.00
<b>(10) PERMANENT STUDY COMMISSION ON ALABAMA'S JUDICIAL SYSTEM</b> .....	25,000.00
For matching Federal funds, if available, monies from any of the above appropriations (II, Judicial), regardless of whether they are also specified, may be used for the purpose.	

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**III. EXECUTIVE:**

**A. DEPARTMENTS, BOARDS, BUREAUS,  
AGENCIES AND COMMISSIONS:**

( 1 ) ALABAMA ACADEMY OF HONOR .....	1,500.00
(Pursuant to provisions of Act No. 15, Third Special Session 1965.)	
( 2 ) STATE BOARD OF ADJUSTMENT:	
(a) For expenditures by the Board payable from General Fund for the General Fund Contribution to the total expenditure of \$200,000 pursuant to Title 55, Section 343 .....	15,000.00
(b) For expenditures by the Board payable from General Fund the provisions of Act No. 208, 1966 Special Session and Act No. 436, 1967 Regular Session, Estimated .....	100,000.00
( 3 ) ADVERTISING LANDS FOR TAX SALE, ESTIMATED .....	14,000.00
( 4 ) COMMISSION ON AGING—TRANSFER..	150,000.00
( 5 ) DEPARTMENT OF AGRICULTURE AND INDUSTRIES:	
(a) For transfer to the Agricultural Fund for salaries, other expenses and equipment purchases for the Department of Agriculture and Industries .....	2,540,000.00
(b) For transfer to the Department of Agriculture and Industries to be expended by the Meat and Poultry Inspection Division for salaries, other expenses, equipment purchases and automotive equipment purchases .....	700,000.00
(c) For transfer to the Department of Agriculture and Industries to be expended by the Egg Inspection Division for salaries, other expenses and equipment purchases .....	53,000.00
(d) For transfer to the Department of Agriculture and Industries to be expended by said Department for salaries, other expenses, equipment purchases, automotive equipment purchases and for purchases of insecticides and chemicals for control of the fire ant. ....	250,000.00
(The above appropriation in item (d) shall be conditional upon the condition of the State Treasury with the approval of the Governor.)	
( 6 ) AGRICULTURE CENTER BOARD:	
(a) For transfer to the Agriculture Center Board for salaries and other expenses .....	50,265.00

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(b) For expenses and awarding of prizes as provided by Act No. 1122, 1969 Regular Session .....		90,000.00
( 7 ) ALABAMA AGRICULTURAL AND IN- DUSTRIAL EXHIBIT COMMISSION ....		40,000.00
( 8 ) APPALACHAIN REGIONAL DEVEL- OPMENT PROGRAM .....		150,000.00
( 9 ) DEPARTMENT OF ARCH- IVES AND HISTORY:		
For the salary of the Di- rector .....	22,728.94	
For other salaries .....	189,771.06	
For other expenses .....	40,000.00	
For equipment purchases ....	5,000.00	
For expenses of printing of the Alabama Historical Quarterly .....	7,500.00	
For expenses of printing of the Statistical Register ....	10,000.00	
Total .....		275,000.00
( 10 ) ARREST OF ABSCONDING FELONS:		
For expenses incident to the arrest of ab- sconding felons, Estimated .....		2,000.00
( 11 ) ALABAMA COUNCIL ON THE ARTS AND HUMANITIES:		
For transfer to the Council on the Arts and Humanities .....		100,000.00
( 12 ) PAYMENT OF ATTORNEYS FEES IN INDIGENT CAPITAL CASES, ESTI- MATED .....		37,500.00
(As provided in Act No. 176, 1947 Acts, page 61)		
( 13 ) OFFICE OF THE ATTOR- NEY GENERAL:		
For the salary of the Attor- ney General .....	33,500.00	
For the salary of the Deputy Attorney General .....	32,500.00	
For the salary of the Execu- tive Assistant, Estimated .....	26,130.00	
For other salaries .....	725,000.00	
For other expenses .....	110,000.00	
For equipment purchases ..	6,000.00	
For automotive equipment purchases .....	5,000.00	
For special investigation as provided by Act No. 1080, 1969 Regular Session .....	15,000.00	
Total .....		953,130.00
(For Matching Federal Funds, if available, \$60,000 from any of the		

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above appropriations may  
be used for this purpose.)

**( 14 ) OFFICE OF THE STATE  
AUDITOR:**

**(a) For operation of the  
Department:**

For the salary of the State Auditor .....	22,970.00
For other salaries .....	160,000.00
For other expenses .....	37,030.00
For e q u i p m e n t purchases .....	5,000.00

<b>Total .....</b>	<b>225,000.00</b>
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**(b) Office of the State Au-  
ditor — Property In-  
ventory:**

For salaries .....	50,000.00
For other expenses .....	9,150.00
For e q u i p m e n t purchases .....	850.00

<b>Total .....</b>	<b>60,000.00</b>
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**( 15 ) AUTOMATIC APPEAL EXPENSE, ES-  
TIMATED .....**

3,000.00

Provided in 1943 Acts of Legislature,  
page 217.

**( 16 ) COOSA - ALABAMA DEVELOPMENT  
AUTHORITY .....**

12,500.00

**( 17 ) TRANSFER TO STATE DOCKS DE-  
PARTMENT:**

For dredging and constructing the Theo- dore ship channel .....	2,000,000.00
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**( 18 ) (a) STATE BANKING DEPARTMENT:**

For transfer to the State Banking Department .....	113,000.00
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**(b) BANKING DEPARTMENT—  
BUREAU OF LOANS:**

For transfer to the State Banking Department .....	140,000.00
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**( 19 ) BICENTENNIAL COMMISSION, ALA-  
BAMA .....**

30,000.00

**( 20 ) BUILDING COMMISSION:**

For salaries, other expenses, equipment purchases and automotive equipment purchases .....	100,000.00
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**( 21 ) ALABAMA HISTORICAL COMMIS-  
SION—TRANSFER .....**

7,000.00

(For operation of Cahaba Historical Site  
in accordance with Act No. 155, 1975  
Third Special Session.)

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( 22 )	ALABAMA WING OF CIVIL AIR PATROL .....	35,000.00
( 23 )	CIVIL COURT COST IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS, ESTIMATED .....	100.00
( 24 )	DEPARTMENT OF CIVIL DEFENSE:	
	(a) For salaries, other expenses and equipment purchases .....	195,000.00
	(b) For matching Federal Funds—Disaster Relief .....	1,492,000.00
( 25 )	DEPARTMENT OF CONSERVATION:	
	For transfer to Conservation—State Parks Fund—	
	For salaries, other expenses, equipment purchases and capital outlay for the State Parks Division .....	1,500,000.00
( 26 )	BOARD OF CORRECTIONS:	
	For transfer to Board of Corrections .....	7,800,000.00
( 27 )	COUNCIL OF STATE GOVERNMENTS....	30,790.00
( 28 )	COURT COSTS, ESTIMATED .....	250,000.00
	To be paid by the State of Alabama pursuant to Act No. 558, 1957 Acts, page 777.	
( 29 )	COURT COSTS, ESTIMATED .....	65,000.00
	To be paid by the State of Alabama not otherwise provided for.	
( 30 )	DEPARTMENTAL EMERGENCY FUND..	450,000.00
	This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section.	
( 31 )	ALABAMA DEVELOPMENT OFFICE:	
	For transfer to Alabama Development Office for operations .....	2,561,000.00
( 32 )	ELECTION EXPENSES, ESTIMATED .....	900,000.00
( 33 )	ELK RIVER DEVELOPMENT ASSOCIATION .....	5,000.00
( 34 )	STATE EMPLOYEES INSURANCE .....	450,000.00
	To pay the State's share of the State Employees Insurance Program, estimated.	
( 35 )	S T A T E EMPLOYEES INSURANCE BOARD:	
	For salaries .....	31,750.00
	For other expenses .....	5,900.00
	For e q u i p m e n t purchases .....	350.00
	Total .....	38,000.00



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( 36 ) EMPLOYEES' RETIREMENT FUND— STATE'S PART, ESTIMATED .....	3,300,000.00
( 37 ) ETHICS COMMISSION, ALABAMA: For operations of the Alabama Ethics Commission .....	100,000.00
( 38 ) FAIR TRIAL TAX—TRANSFER .....	100,000.00
To be expended in accordance with Act No. 525 and Act No. 526, 1963 Regular Session.	
( 39 ) FARMERS' MARKET AUTHORITY: For transfer to the Farmers' Market Au- thority for the operation of the Farmers' Market Authority .....	53,000.00
( 40 ) FEEDING OF PRISONERS: For expenses of feeding prisoners in county jails, Estimated .....	1,300,000.00
( 41 ) DEPARTMENT OF FINANCE:	
(a) Director's Office:	
For the salary of the Director, Estimated ..	24,000.00
For the salary of the Assistant Director, Es- timated .....	23,699.00
For other salaries .....	12,246.00
For other expenses .....	8,500.00
Total .....	68,445.00
(b) Division of the Budget:	
For salaries .....	232,400.00
For other expenses .....	16,600.00
For e q u i p m e n t purchases .....	11,000.00
To carry out the pro- visions of the Gover- nor's Committee on Fiscal Responsibility's Contractual Services for Program Budget- ing initiation .....	150,000.00
Total .....	410,000.00
(c) Division of Control and Accounts:	
For salaries .....	475,000.00
For other expenses .....	200,000.00
For e q u i p m e n t purchases .....	5,000.00
Total .....	680,000.00
(d) Legal Division:	
For salaries .....	57,630.00
For other expenses .....	6,370.00

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For equipment purchases .....	1,000.00	
Total .....		65,000.00
(e) Data Systems Management—Transfer .....		150,000.00
(f) Data Systems Management Revolving Fund .....		450,000.00
(g) Division of Printing and Publications .....		50,000.00
(h) Division of Purchases and Stores:		
For salaries .....	304,500.00	
For other expenses .....	35,000.00	
For equipment purchases .....	2,000.00	
Total .....		341,500.00
(i) Division of Service:		
For salaries .....	782,000.00	
For other expenses .....	360,000.00	
For equipment purchases .....	15,000.00	
Total .....		1,157,000.00
(j) Space Management Operations .....		60,000.00
(k) Equipment purchases for the State Offices in the Executive, Administrative and Judicial Departments .....		5,000.00
( 42 ) MATCHING FEDERAL FUNDS NOT OTHERWISE PROVIDED FOR .....		100,000.00
( 43 ) ALABAMA FORESTRY COMMISSION:		
For transfer to the Alabama Forestry Commission—For salaries, other expenses, equipment purchases and automotive equipment purchases .....		1,800,000.00
( 44 ) FORT MORGAN HISTORICAL COMMISSION:		
For salaries .....	37,000.00	
For other expenses .....	20,000.00	
For equipment purchases .....	2,800.00	
Total .....		59,800.00
( 45 ) GEOLOGICAL SURVEY:		
For the salary of the State Geologist .....	26,591.00	
For other salaries .....	350,000.00	
For other expenses .....	110,000.00	
For equipment purchases .....	5,000.00	
For operation of new building .....	18,409.00	
For matching funds for investigation of water, min-		

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eral & energy resources of the State .....	230,000.00	
For test drilling .....	25,000.00	
For topographic Mapping.....	25,000.00	
<b>Total .....</b>		<b>790,000.00</b>
<b>( 46 ) GORGAS MEMORIAL BOARD .....</b>		<b>9,500.00</b>
To provide for the appropriation author- ized by Act No. 417, 1943 Acts, page 383 and an additional amount.		
<b>( 47 ) THE GOVERNOR'S OFFICE:</b>		
(a) For operation of the Department:		
For the salary of the Governor .....	28,955.00	
For the salary of the Executive Secretary..	22,729.00	
For the salary of the Legal Advisor .....	22,729.00	
For the salary of the Press Secretary .....	22,729.00	
For the salary of the Confidential Assistant	22,729.00	
For other salaries .....	147,204.00	
For other expenses .....	105,000.00	
For printing Governor's State Budget, Esti- mated .....	22,000.00	
For e q u i p m e n t purchases .....	3,500.00	
For automotive equip- ment purchases .....	8,000.00	
<b>        Total .....</b>		<b>405,575.00</b>
(b) For the Governor's Emergency Fund, to be expended at the direction of the Governor .....		<b>100,000.00</b>
(c) For the Governor's Controlled Con- tingency Fund .....		<b>60,000.00</b>
(d) For Governor's Office— Consumer Agency:		
For salaries .....	119,000.00	
For other expenses .....	40,000.00	
For e q u i p m e n t purchases .....	1,000.00	
<b>        Total .....</b>		<b>160,000.00</b>
(e) For the Mansion Fund .....		<b>45,000.00</b>
(f) For the Governor's Mansion at Gulf Shores .....		<b>10,000.00</b>
<b>( 48 ) EXPENSES OF GOVERNOR'S PROCLA-         MATION, ESTIMATED .....</b>		<b>150,000.00</b>
<b>( 49 ) NATIONAL GOVERNOR'S CONFERENCE</b>		<b>16,150.00</b>
<b>( 50 ) GOVERNOR'S RETIREMENT, ESTIMAT-         ED .....</b>		<b>9,000.00</b>

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( 51 )	<b>GOVERNOR'S WIDOWS RETIREMENT, ESTIMATED</b>		14,400.00
( 52 )	<b>DEPARTMENT OF HEALTH:</b>		
	(a) For Administration of all State Health Services and Programs (excluding Medicaid)		8,557,912.00
	(b) For Medicaid:		
	For transfer to the Medicaid Account	50,273,500.00	
	(c) For Emergency Medical Services		20,000.00
( 53 )	<b>HELEN KELLER HOME:</b>		
	For operation and maintenance		5,000.00
( 54 )	<b>OFFICE OF HIGHWAY AND TRAFFIC SAFETY:</b>		
	For transfer to Office of Highway and Traffic Safety		75,000.00
( 55 )	<b>ALABAMA HISTORICAL COMMISSION:</b>		
	For transfer to Alabama Historical Com- mission		264,720.00
( 56 )	<b>HISTORIC CHATTAHOOCHEE COMMIS- SION</b>		74,650.00
( 57 )	<b>RICHMOND PEARSON HOBSON ME- MORIAL BOARD</b>		9,500.00
	To provide the appropriation authorized by Act No. 536, 1943 Acts, page 510 and an additional amount.		
( 58 )	<b>DEPARTMENT OF INDUS- TRIAL RELATIONS:</b>		
	For salaries	389,400.00	
	For other expenses	70,000.00	
	For equipment purchases	1,000.00	
	For automotive equipment purchases	4,600.00	
	<b>Total</b>		465,000.00
( 59 )	<b>DEPARTMENT OF INSUR- ANCE:</b>		
	For salary of the Director	24,487.71	
	For other salaries	399,512.29	
	For other expenses	118,000.00	
	For equipment purchases	3,000.00	
	For automotive equipment purchases	5,000.00	
	<b>Total</b>		550,000.00
( 60 )	<b>INTERPRETER'S ACCOUNT, ESTIMATED</b>		100.00
	(To carry out provisions of Act No. 799, 1965 Regular Session.)		
( 61 )	<b>COURT OF JUDICIARY:</b>		
	For salaries	2,500.00	

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For other expenses .....	4,150.00	
For equipment purchases ..	200.00	
Total .....		6,850.00
<b>( 62 ) STATE LABOR DEPARTMENT:</b>		
For salary of the Director ....	22,729.00	
For other salaries .....	105,571.00	
For other expenses .....	26,200.00	
For equipment purchases ....	500.00	
Total .....		155,000.00
<b>( 63 ) LAGRANGE HISTORICAL COMMISSION</b>		2,500.00
(To provide the appropriation and for the expenditures authorized by Act No. 551, 1943 Acts, page 540.)		
<b>( 64 ) LAW ENFORCEMENT LEGAL DEFENSE, ESTIMATED</b>		2,000.00
(To carry out provisions of Act No. 259, 1957 Regular Session.)		
<b>( 65 ) ALABAMA LAW ENFORCEMENT PLANNING AGENCY:</b>		
For matching Federal Funds .....		615,000.00
<b>( 66 ) TRANSFER TO TELEPHONE REVOLVING FUND</b>		576,720.00
<b>( 67 ) LIVESTOCK COLISEUM:</b>		
For transfer to the Livestock Coliseum Fund for the operation of the Livestock Coliseum .....		140,000.00
<b>( 68 ) MAILING TAX NOTICES, ESTIMATED</b>		7,500.00
<b>( 69 ) MENTAL HEALTH:</b>		
For transfer to Special Mental Health Fund		14,800,000.00
<b>( 70 ) MILITARY DEPARTMENT:</b>		
(a) For operation of the Department:		
For salary of the Adjutant General .....	22,729.00	
For other salaries .....	528,271.00	
For other expenses .....	110,000.00	
For equipment purchases .....	4,000.00	
Total .....		665,000.00
(b) For Quarterly Allowances:		
For Headquarters .....	5,000.00	
For Regular Allowance to Units .....	363,500.00	
Provided that not more than \$5,000 may be allotted in any fiscal year for the Headquarters, Alabama National Guard.		
(c) For Active Military Service—		
Active National Guard .....		100,000.00

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(d) For transfer to the Armory Commission:		
For care and maintenance of armories		950,000.00
For construction of armories		681,000.00
<b>( 71 ) OIL AND GAS BOARD:</b>		
(a) Operations of Board:		
For salaries	419,500.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
For salaries, other expenses, equipment purchases and automotive equipment purchases to be allotted upon opening of New Oil and Gas Fields	40,000.00	
Total		564,500.00
(b) For the Oil and Gas Board to monitor offshore oil drilling		60,000.00
<b>( 72 ) BOARD OF PARDONS AND PAROLES:</b>		
For salaries of Board Members	63,321.00	
For other salaries	1,471,679.00	
For other expenses	150,000.00	
For equipment purchases	9,000.00	
For Federal matching Funds	50,000.00	
Total		1,744,000.00
<b>( 73 ) DEPARTMENT OF PENSIONS AND SECURITY:</b>		
For transfer to the Department of Pensions and Security for the support, maintenance and operations of the functions of Pensions and Security		13,000,000.00
<b>( 74 ) PERSONNEL DEPARTMENT:</b>		
For transfer to the Personnel Department for the payment of the State's General Fund share of the cost of operating the Department		109,760.00
<b>( 75 ) FIRST WHITE HOUSE OF CONFEDERACY</b>		
		11,500.00
<b>( 76 ) COMMISSION TO PRESERVE THE PEACE:</b>		
For salaries and other expenses		10,000.00
(For purposes of phasing out the operations by December 31, 1975.)		
<b>( 77 ) PRESIDENTIAL ELECTORAL EXPENSE, ESTIMATED</b>		
		600.00

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( 78 ) PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES, ESTIMATED.....		10,000.00
( 79 ) BOARD OF EXAMINERS OF PSYCHOL- OGY:		
For transfer to Board of Examiners of Psychology for operation .....		1,600.00
( 80 ) BUREAU OF PUBLICITY AND INFORMATION:		
(a) For operation of the De- partment:		
For salary of the Direc- tor .....	20,533.00	
For other salaries .....	58,467.00	
For other expenses .....	63,000.00	
For equipment pur- chases .....	1,000.00	
For Ave Maria Grotto..	2,500.00	
For Blue and Gray Football Game .....	10,000.00	
For Guntersville Boat Races .....	9,500.00	
For Lake Eufaula Festi- val .....	10,000.00	
For Mobile Carnival Association .....	5,000.00	
For Mobile Junior Miss Pageant .....	25,000.00	
For National Pe a n u t Festival Association ..	10,000.00	
For Spirit of America Festival, Inc. ....	5,000.00	
For Alonzo Staggs Bowl	5,000.00	
For Alabama Mountain Lake Association .....	20,000.00	
For Gulf Shores Tour- ist Association .....	15,000.00	
Total .....		260,000.00
(b) Welcome Centers:		
For salaries .....	125,000.00	
For other expenses .....	35,000.00	
For Bureau's share in constructing a n d equipping Welcome Centers .....	100,000.00	
Total .....		260,000.00
( 81 ) DISTRIBUTION OF PUBLIC DOCU- MENTS, ESTIMATED .....		30,000.00
( 82 ) TALLACOOSA MOUNTAIN LAKE ASSOCIATION .....		10,000.00
( 83 ) DEPARTMENT OF PUBLIC SAFETY:		
For the salary of the Di- rector .....	22,729.00	

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For other salaries .....	10,580,271.00	
For other expenses .....	3,682,000.00	
For Workman's Compensation Insurance Est. ....	140,000.00	
For equipment purchases ....	150,000.00	
For automotive equipment purchases .....	750,000.00	
Total .....		15,325,000.00
( 84 ) REGISTRATION OF VOTERS, ESTIMATED .....		450,000.00
( 85 ) REMOVAL OF PRISONERS:		
For expenses incident to removal of prisoners, Estimated .....		75,000.00
( 86 ) DEPARTMENT OF REVENUE:		
(a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department .....		1,201,096.54
(b) For Auto Title and Auto Theft Fund .....		500,000.00
(c) Boards of Equalization:		
For salaries of the members and employees of the county boards of equalization .....	143,750.00	
For other expenses .....	4,000.00	
Total .....		147,750.00
(d) Equalization Funds .....		250,000.00
(This is the appropriation set out under Act No. 160, 3rd Special Session of the 1971 Alabama Legislature.)		
( 87 ) RIVERBOAT ASSOCIATION, MONTGOMERY .....		25,000.00
( 88 ) OFFICE OF SECRETARY OF STATE:		
(a) For operation of the Department:		
For the salary of the Secretary of State ....	22,959.00	
For other salaries .....	78,026.00	
For other expenses .....	29,250.00	
For equipment purchases .....	2,500.00	
Total .....		132,735.00
(b) Law Books Inventory:		
For salaries .....	9,000.00	
For other expenses .....	4,000.00	
For equipment purchases .....	2,000.00	
Total .....		15,000.00



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(c) Uniform Commercial Code:		
For salaries .....	56,000.00	
For other expenses .....	28,000.00	
For equipment purchases .....	3,500.00	
Total .....		87,500.00
( 89 ) SECURITIES COMMISSION:		
For salaries .....	104,000.00	
For other expenses .....	15,000.00	
For equipment purchases .....	5,000.00	
Total .....		124,000.00
( 90 ) STATE'S SHARE OF SOCIAL SECURITY, ESTIMATED .....		
		1,200,000.00
( 91 ) SOCIAL SECURITY ADMINISTRATION:		
For salaries .....	115,000.00	
For other expenses .....	19,000.00	
For equipment purchases .....	2,000.00	
Total .....		136,000.00
( 92 ) SOIL CONSERVATION COMMITTEE:		
For salaries .....	46,122.00	
For other expenses .....	71,778.00	
For Watershed Planning Party .....	75,000.00	
Water Conservation Districts .....	60,300.00	
For equipment purchases .....	1,000.00	
Total .....		254,200.00
( 93 ) SOUTHERN INTERSTATE N U C L E A R BOARD .....		
		11,057.00
( 94 ) WOMEN'S COMMISSION, ALABAMA .....		
		10,000.00
( 95 ) SPORTS HALL OF FAME BOARD .....		
(To carry out provisions of Act No. 225, 1967 Regular Session.)		25,000.00
( 96 ) ALABAMA STEER SHOW ASSOCIATION .....		
		10,000.00
( 97 ) TANNEHILL FURNACE AND FOUNDRY COMMISSION .....		
		25,000.00
( 98 ) TENNESSEE RIVER DEVELOPMENT AUTHORITY .....		
		10,000.00
( 99 ) TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY .....		
(To carry out the provisions of Act No. 355, 1957 Regular Session, approved August 23, 1957.)		120,000.00

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(100) STATE TOXICOLOGIST:		
For the salary of the State Toxicologist .....	26,252.00	
For other salaries .....	420,748.00	
For other expenses .....	80,000.00	
For equipment purchases .....	25,000.00	
For automotive equipment purchases .....	8,000.00	
For Matching Federal Funds .....	60,000.00	
Total .....		620,000.00
(101) OFFICE OF THE STATE TREASURER:		
For the salary of the State Treasurer .....	22,959.00	
For other salaries .....	300,000.00	
For other expenses .....	75,000.00	
For equipment purchases .....	12,000.00	
For vault equipment purchases .....	3,000.00	
Total .....		412,959.00
(102) STATE TREASURER—PREVIOUS YEAR UNPAID WARRANTS, ESTIMATED .....		50,000.00
(103) TRI-RIVERS DEVELOPMENT ASSOCIATION .....		30,000.00
(104) COMMISSION ON UNIFORM STATE LAWS .....		4,000.00
(Total amount appropriation by Act No. 926, Acts 1951, page 1575, for expenses, operation and contributions of Commission.)		
(106) DEPARTMENT OF VETERANS AFFAIRS:		
For the salary of the Service Commissioner .....	19,996.00	
For other salaries .....	1,186,995.00	
For other expenses .....	67,000.00	
For equipment purchases .....	4,000.00	
For contract with Veterans of Foreign War Organization .....	36,000.00	
For contract with disabled American Veterans Organization .....	9,000.00	
Automotive Equipment Purchases .....	16,000.00	
Total .....		1,338,991.00
(107) NATIONAL VETERANS DAY COMMITTEE, BIRMINGHAM, ALABAMA .....		3,000.00
(108) VETERANS DAY COMMISSION, ALABAMA .....		1,500.00

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(109) VETERANS DAY COMMISSION, NATIONAL .....	1,500.00
(110) WATERSHED CONSERVANCY DISTRICTS:	
(1) Bear Creek Development Authority.....	35,000.00
(2) Choccolocco Watershed .....	4,000.00
(3) Crooked Creek Watershed .....	2,500.00
(4) Ketchepedrakee Watershed .....	2,500.00
(5) Big Nance Creek Watershed .....	2,500.00
(111) LAW ENFORCEMENT PLANNING AGENCY:	
Diversion Investigating Unit .....	350,000.00
(Conditional upon the condition of the State Treasury and upon the approval of the Governor.)	
(112) TALLASSEEHATCHEE WATERSHED ....	2,500.00
(113) Transfer to State Highway Department....	13,500,000.00
For Transfer to State Highway Department conditional upon the condition of the State Treasury and with the approval of the Governor .....	3,000,000.00
(114) Agricultural and Industrial exhibit Commission:	
For the construction of a Swine Pavilion..	150,000.00
(115) Interstate Mining Compact .....	4,500.00
(116) Birmingham Festival of Arts .....	25,000.00
(117) For Alabama Travel Council .....	15,000.00
(118) The following appropriations in Section 118 shall be conditional upon the condition of the State General Fund and with the approval of the Governor for the fiscal year ending September 30, 1976:	
(1) Birmingham—Fort John C. Persons .....	250,000.00
(2) Luverne Armory .....	75,000.00
(For construction of Luverne Armory 60,000.00 of the amount above and 15,000.00 for land acquisition.	
(3) Pea River Historical and Genological Society of Enterprise...	25,000.00
(4) Tannehill Furnace and and Foundry Commission .....	25,000.00
(5) Department of Court Management .....	60,000.00

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(6) Commission on Aging.....	25,000.00
(7) For the Governor's committee on Reor- ganization of State Government .....	38,500.00
(8) Commission on Inter- governmental Coop- eration .....	40,000.00
(9) Alabama Historical Commission:	
For the completion of Constitutional Hall at Huntsville .....	85,000.00
For the purchase and/ or preservation of Steverson Depot in Jackson County, Ala- bama .....	35,000.00
(10) For Ave Mario Grotto..	10,000.00
(11) Chilton County Peach Festival .....	5,000.00
(12) Health Department— Medicaid .....	326,500.00
Total Conditional Appropriation.....	1,000,000.00

**B. DEBT SERVICE:**

(1) For the payment of principal and interest due on bonds issued by Alabama State Hospitals and Partlow State School Bond Commission pursuant to Constitutional Amendment No. CXVIII .....	281,440.00
(2) For interest on Spanish American War Veterans Fund, Estimated .....	294.86
(3) For the payment of principal and interest due on bonds issued by State Docks—In- land Waterways, pursuant to Constitutional Amendment No. CXVI, Estimated .....	1,851,512.50
(4) For the payment of principal and interest on bonds issued by the State Parks Develop- ment Authority pursuant to Constitutional Amendment as provided in Act No. 272, 1967 Regular Session, Estimated .....	771,495.00
(5) For the payment of principal and interest due on bonds issued for the Space Exhibit Commission pursuant to Constitutional Amendment No. CCXXIV .....	227,480.00
(6) For the payment of principal and interest due on bonds issued for the Tennessee- Tombigbee Waterway pursuant to Con- stitutional Amendment No. CCLXX as provided by in Act No. 248, 1967 Regular Session, Estimated .....	438,445.00

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C. FROM FUNDS OTHER THAN  
GENERAL FUND:

(1) ALABAMA STATE BOARD OF PUBLIC  
ACCOUNTANCY:

For salaries, other expenses and equipment purchases .....	105,000.00
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In addition to the amount appropriated hereinabove to the Alabama State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any applications for license which may have been rejected by the Board or withdrawn by request of applicant.

The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama State Board of Public Accountancy Fund.

(2) AERONAUTICS DEPARTMENT:

(a) For the salary of the Director, Estimated .....	22,729.00
For other salaries .....	70,000.00
For other expenses .....	40,079.00
For equipment purchases .....	1,000.00
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Total .....	133,808.00

(b) For State Aid to Airports— For Airports and Airmarkings .....	450,000.00
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The above appropriation to Aeronautics Department shall be paid from the State Airports Development Fund as provided by Act No. 402, Acts 1945, page 620, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(3) COMMISSION ON AGING:

For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts .....	175,000.00
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The above appropriation is payable from the funds transferred to this account in Item III A (4) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government as hereby appropriated.

(4) AGRICULTURE AND  
INDUSTRIES:

(a) For the salary of the Commissioner .....	22,959.00
For other salaries .....	2,576,863.00
For other expenses .....	910,000.00
For equipment purchases .....	80,000.00
For automotive equipment purchases .....	109,738.00

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For transfer to State Personnel Department .....	10,990.00
For transfer to Agriculture Center Board .....	54,450.00
For awarding prizes and premiums .....	20,000.00
For transfer to Telephone Revolving Fund .....	18,900.00

Total .....	3,803,900.00
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The above appropriations are payable from funds in the Agricultural Fund and shall include the appropriations made to said fund in Item III A (5) (a). The above appropriations for other salaries, other expenses, equipment purchases and automotive equipment purchases shall be used for the operation and maintenance of the Department of Agriculture and Industries and for Bangs Disease Control, Disease of Swine, Swine Diagnostic Laboratory, Fire Ant Control, Pesticide Laboratory, Poultry Disease Control, White Fringed and Japanese Beetle Control, for inspection, grading and classification of fruits and vegetables, and any other services connected with the operations of Agriculture and Industries in the State of Alabama.

Any surplus remaining in the Agricultural Fund at the end of the fiscal year in excess of \$150,000.00 shall be transferred to the State General Fund.

(b) Egg Inspection Division:

For salaries .....	66,000.00
For other expenses .....	14,550.00
For equipment purchases .....	1,000.00
For automotive equipment purchases .....	11,000.00

Total .....	92,550.00
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The above appropriations are payable from funds in the Egg Inspection Fund and shall include the appropriations made to said fund in Item III A (5) (c).

(c) Meat and Poultry Inspection Division:

For salaries .....	990,000.00
For other expenses .....	255,000.00
For equipment purchases .....	4,000.00

Total .....	1,249,000.00
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The above appropriations are payable from the funds to the credit of the Meat and Poultry Inspection Fund and shall include the appropriation made herein in Item III A (5) (b).

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**(d) Plant Industry Division**  
**(Fire Ant Control)**

For salaries, other expenses, equipment purchases and for purchase of insecticides and chemicals for control of the fire ant, estimated .....	250,000.00
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The above appropriations are payable from the funds transferred to this account in Item III A (5) (d) of this Act. In addition to the above appropriation, any funds received for this work from the Federal Government and grants and contributions from other sources are hereby appropriated.

**(e) Agriculture Center Board:**

For salaries .....	36,036.00
For other expenses .....	9,100.00
For rental (Livestock Coliseum, Montgomery) .....	54,450.00

Total .....	99,586.00
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The above appropriation to the Agriculture Center Board shall be paid out of the Agricultural Center Board Fund and includes the appropriation made to said fund as provided in Item III A (6) (a) and Item III C (4) (a).

**(f) Livestock Coliseum:**

For salaries .....	115,000.00
For other expenses .....	165,000.00
For equipment purchases .....	6,000.00
For repairs to Coliseum .....	25,000.00

Total .....	311,000.00
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The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation herein above includes the appropriation made to said Fund as provided in Item III A (67).

**(g) Shipping Point Inspection Fund:**

There is hereby appropriated, out of receipts to the Shipping Point Inspection Fund (Acts No. 26, Legislature of 1956, approved March 23, 1956).

For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases, all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited there-

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in for Shipping Point inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.

(5) ALCOHOLIC BEVERAGE  
CONTROL BOARD:

(a) Administrative and Stores  
Division:

For the salary of the Administrator .....	22,729.00	
For other salaries .....	10,336,115.93	
For other expenses (Transportation cost for merchandise excluded)	3,342,074.00	
For equipment purchases	223,043.00	
For automotive equipment purchases .....	5,000.00	
Awards for Convictions, estimated .....	1,000.00	
For transfer to State Personnel Department .....	36,750.00	
For transfer to Mental Health Department .....	375,000.00	
For transportation cost on merchandise, estimated	490,193.00	
For transfer to Telephone Revolving Fund .....	11,340.00	14,843,244.93

In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For salaries .....	1,520,060.00
For other expenses .....	563,996.00
For equipment purchases	34,000.00



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For automotive equipment  
purchases ..... 160,000.00

Total ..... 2,278,056.00

The appropriations hereinabove made  
(a) and (b) to the Alcoholic Beverage  
Control Board are made from the gross  
proceeds derived from the sale of alco-  
holic beverages by the Alcoholic Bev-  
erage Control Board.

(c) Beer Tax and Licenses

Division:

For salaries ..... 629,388.00  
For other expenses ..... 317,972.00  
For equipment purchases ..... 4,500.00

Total ..... 951,860.00

In addition to the above appropriation  
it is further provided that, in the  
event any county or municipality of  
the State shall, during the fiscal period  
covered by this appropriation by proper  
referendum authorize the legal sale  
of malt and brewed beverages within  
such county or municipality, there is  
further appropriated, in addition to the  
amounts herein set out, an amount  
comparable to that expended during  
the prior fiscal year for beer and li-  
cense tax supervision within counties  
or municipalities of similar size and  
population. Provided, further, that the  
amount appropriated herein shall be  
reduced in like manner in the event  
any county or municipality wherein  
malt and brewed beverages are now  
authorized by law to be sold shall,  
during the fiscal period covered by  
this appropriation by proper referen-  
dum, declare unlawful the sale in such  
county or municipality of such malt or  
brewed beverages.

(6) STATE BOARD OF REGIS-  
TRATION FOR ARCHITECTS:

For salaries ..... 10,000.00  
For other expenses ..... 22,000.00  
For equipment purchases ..... 300.00

Total ..... 32,300.00

The above appropriation is payable out of  
funds in the State Treasury to the credit  
of the State Board of Registration for  
Architects pursuant to Title 46, Chapter 2,  
Code of Alabama 1940, as amended.

(7) ARMORY COMMISSION:

For salaries and other expenses ..... 1,009,000.00  
For equipment purchases ..... 10,000.00

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For automotive equipment purchases .....	5,000.00
For matching Federal Funds for the Con- struction and Renovations of Armories:	
Elba .....	80,000.00
Enterprise .....	193,000.00
Gadsden .....	160,000.00
Guntersville .....	114,000.00
Jacksonville .....	134,000.00

Total .....	1,705,000.00
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The funds hereinabove appropriated to the Armory Commission shall be paid out of the funds in the State Treasury to the credit of Armory Commission and the appropriation hereinabove made includes the appropriation made for the care and maintenance of armories and construction as provided in Item III A(70)(d) in this Act. Provided, however, that the last Federal Government service contract reimbursement shall not revert to the State General Fund. Any surplus remaining in the Armory Commission at the end of the fiscal year in excess of \$50,000.00 shall be transferred to the State General Fund.

(8) ALABAMA COUNCIL ON THE ARTS AND HUMANITIES:

For salaries, other expenses and equipment purchases .....	100,000.00
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The funds hereinabove appropriated to the Alabama Council on the Arts shall be paid out of the Council on the Fine Arts Fund and the appropriation hereinabove made includes the appropriation made in Item III A(11) of the Act.

(9) DEPARTMENT OF BANKING:

(a) Bureau of Banking:

For salaries, other expenses, equipment purchases and automotive equipment purchases, estimated .....	537,000.00
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The above appropriation shall be paid from the Banking Assessment Fees as provided in Act No. 373, 1965 Regular Session.

(b) Bureau of Credit Unions:

For salaries .....	69,667.00
For other expenses .....	28,115.00
For equipment purchases .....	1,000.00

Total .....	98,782.00
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The above appropriation shall be paid from the Banking Department—Bureau of Credit Unions as provided in Act No. 2293, Regular Session 1971.

(10) DEPARTMENT OF BANKING—  
LOAN EXAMINATION FUND:

For salaries .....	230,000.00
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For other expenses .....	65,000.00
For equipment purchases .....	500.00

Total .....	295,500.00
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The above appropriation shall be paid out of the Loan Examination Fund as provided in Act No. 374, 1959 Regular Session.

**(11) ALABAMA STATE BAR  
ASSOCIATION:**

For salaries .....	100,000.00
For other expenses .....	135,000.00
For equipment purchases .....	500.00

Total .....	235,500.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

**(12) ALABAMA BICENTENNIAL COMMISSION:**

For salaries and expenses .....	30,000.00
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The above appropriation is payable out of the funds to the credit of the Alabama Bicentennial Commission Fund and shall also include the appropriation in Item III A (19).

**(13) STATE BOARD OF CHIROPRACTIC EXAMINERS:**

For salaries .....	3,000.00
For other expenses .....	7,700.00

Total .....	10,700.00
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The above appropriation shall be paid out of the State Board of Chiropractic Examiners Fund as provided in Act No. 108, 1959 Regular Session.

**(14) CONSERVATION DEPARTMENT:**

**(a) Administrative Division:**

For salary of the Director .....	22,728.94
For other salaries .....	498,079.90
For other expenses .....	312,172.00
For equipment purchases .....	8,000.00
For transfer to Personnel Department .....	17,010.00
For transfer to telephone revolving Fund .....	7,560.00

865,550.84

The above appropriations shall be paid out of the Department of Conservation —Administrative Fund and includes the appropriations made to this Division as provided in this section.

(In addition to the monies hereinabove appropriated to the Administrative Division there is hereby conditionally

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appropriated to the Administrative Division conditioned upon the passage of legislation increasing vessel registration fees.)

For other salaries and expenses ..... 60,000.00

(b) Game and Fish Division:

For salaries ..... 2,953,643.00

For other expenses ..... 1,384,363.00

For equipment purchases ..... 198,000.00

For automotive equipment purchases ..... 232,140.00

For transfer to Conservation Department — Administrative Account .... 339,505.81

For transfer to Telephone Revolving Fund ..... 7,380.00

Total ..... 5,115,031.81

The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

(c) State Lands Division:

1. For salaries ..... 85,000.00

For other expenses ..... 30,000.00

For equipment purchases ..... 5,000.00

For transfer to Conservation Department — Administrative Account ..... 14,000.00

134,000.00

The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund.

2. In addition to the above appropriation, there is also hereby appropriated from the State Lands Division Fund to the Lands Division for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas

125,000.00

(d) Marine Police Division:

For salaries ..... 646,051.00

For other expenses ..... 274,000.00

For equipment purchases ..... 90,000.00

For automotive equipment purchases ..... 70,000.00

For transfer to Conservation Department — Administrative Account .... 126,101.00

Total ..... 1,206,152.00

The funds hereinabove are appropriated to the Marine Police Division of Marine Police Fund.

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In addition to the monies hereinabove appropriated there is hereby conditionally appropriated from the Marine Police Fund to the Marine Police Division conditioned upon the passage of legislation to increase vessel registration fees.

For salaries .....	80,200.00
For other expenses .....	53,100.00
For equipment purchases .....	64,000.00
For automotive equipment purchases .....	27,900.00
For transfer to Conservation Department — Administrative Account .....	60,000.00
Capital Outlay	
For access areas .....	270,500.00
For aids to navigation .....	45,000.00

Total .....	600,700.00
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(e) Marine Resources Division:

For salaries .....	365,000.00
For other expenses .....	165,000.00
For equipment purchases .....	15,000.00
For automotive equipment purchases .....	15,000.00
For transfer to Conservation Department — Administrative Account .....	55,000.00
For Gulf State Marine Fisheries Commission .....	5,000.00

Total .....	620,000.00
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In addition to the monies hereinabove appropriated, all monies derived from contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated to the Division of Marine Resources and may be expended by the Director of Conservation on such Marine Resources Division Programs or projects which he deems appropriate. The funds hereinabove appropriated to the Marine Resources Division shall be paid out of the Marine Resources Fund.

In addition to the monies hereinabove appropriated there is hereby conditionally appropriated from the Marine Resources Fund to the Marine Resources Division conditioned upon the passage of legislation providing for a saltwater sport fishing license.

Capital Outlay	
For access areas .....	75,000.00

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For artifical reefs ..... 20,000.00

Total ..... 95,000.00

(f) State Parks Division:

For salaries, other expenses, equipment purchases, automotive equipment purchases, capital outlay and for transfer to Conservation—Administrative Account, Estimated ..... 1,086,000.00

(Provided, however, of the amount appropriated hereinabove no less than \$100,000.00 shall be expended for operation and maintenance of Tannehill State Park.)

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund. The funds hereinabove appropriated shall include the appropriations made in Item III A (25) in this Act.

(15) STATE LICENSING BOARD  
FOR GENERAL CONTRACTORS:

For salaries ..... 77,000.00

For other expenses ..... 42,000.00

For equipment purchases ..... 7,800.00

Total ..... 126,800.00

In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriations are payable out of the funds in the State Treasury to the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

(16) BOARD OF CORRECTIONS:

For the salary of the Commissioner ..... 23,866.00

For other salaries ..... 5,803,655.00

For other expenses ..... 3,300,000.00

For equipment purchases ..... 150,000.00

For automotive equipment purchases ..... 100,000.00

For Debt Service, estimated ..... 60,000.00

For transfer to the State Personnel Department ..... 21,560.00

9,459,081.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation (hereinabove made includes the appropriation made to the said fund as

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provided in Item III A (26) of this Act. Provided, however, the Commissioner of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Board of Corrections. Any such grant funds so generated and in direct support of the Board of Corrections operations are also hereby appropriated.

**(17) ALABAMA BOARD OF  
COSMETOLOGY:**

For salaries .....	96,941.00	
For other expenses .....	85,000.00	
For equipment purchases .....	5,000.00	
For construction of building .....	75,000.00	261,941.00

The above appropriations shall be payable from the funds in the State Treasury to the credit of the Alabama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

**(18) DAIRY COMMISSION:**

For salaries .....	177,570.00	
For other expenses .....	100,000.00	
For cost study .....	20,000.00	
For equipment purchases .....	1,500.00	299,070.00

The above appropriations shall be paid out of the Dairy Commission Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

**(19) ALABAMA DEVELOPMENT OFFICE:**

For salaries, other expenses, equipment purchases, automotive equipment purchases, national advertising and industrial promotion and contracts, estimated .....	2,561,000.00
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The above appropriations shall be paid from Alabama Development Office Fund and shall include appropriations made in Item III A (31) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Development Office from whatever source are hereby appropriated.

**(20) ALABAMA STATE DOCKS BOARD:**

For transfer to the State Personnel Department .....	3,640.00
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The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

**(21) STATE BOARD OF REGIS-  
TRATION FOR PROFES-**

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SIONAL ENGINEERS AND  
LAND SURVEYORS:

For salaries .....	60,400.00
For other expenses .....	45,000.00
For investigations and court costs .....	15,000.00
For equipment purchases .....	500.00

Total ..... 120,900.00

The above appropriations are payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(22) ALABAMA ETHICS COMMISSION:

For operations of the Alabama Ethics Commission, estimated .....	136,000.00
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The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama Ethics Commission and shall include the appropriation herein made in Item III A (37) of this Act.

(23) FARMERS MARKET  
AUTHORITY:

For salaries .....	31,559.00
For other expenses .....	13,841.00

Total ..... 45,400.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market Authority and shall include the appropriation herein made in Item III A (39) of this Act.

(24) DEPARTMENT OF FINANCE:

Data Systems Management:

For operations of Data Systems Management .....	150,000.00
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The above appropriations shall be paid from the Data Systems Management Fund and shall include the appropriation herein made in Item III A (41) (e) of this Act.

(25) FIRE MARSHALL FUND:

For salaries .....	100,000.00
For other expenses .....	85,000.00
For equipment purchases .....	2,500.00

Total ..... 187,500.00

The above appropriations shall be paid from the Fire Marshall fund as provided in Act 1938, 1971 Regular Session.

(26) STATE FORESTRY  
COMMISSION:

For salaries .....	3,800,000.00
For other expenses .....	902,065.00
For equipment purchases .....	150,000.00



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For automotive equipment purchases .....	73,755.00	
For transfer to State Personnel Department .....	12,180.00	
For transfer to Tel. Revolving Fd. ....	19,440.00	4,957,440.00

The funds hereinabove appropriated to the Forestry Commission shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Item III A (43) of this Act.

It is provided that in the event receipts into the Forestry Fund from County appropriations exceed the sum of \$500,000.00, then such excess is hereby appropriated.

It is further provided that in the event receipts into the Forestry Fund from Federal Funds exceed the sum of \$793,000.00, then such excess is hereby appropriated. In the event of an emergency, so determined by the Director of the Forestry Commission and the Governor, the Director of the Forestry Commission with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Forestry Commission.

**(27) STATE BOARD OF REGISTRATION FOR FORESTERS:**

For other expenses .....	7,305.00	
For equipment purchases .....	700.00	
Total .....		8,005.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Professional Foresters' Fund.

**(28) LICENSING BOARD FOR THE HEALING ARTS:**

For salaries .....	46,318.00	
For other expenses .....	14,250.00	
For equipment purchases .....	15,000.00	
Total .....		75,568.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Licensing Board of the Healing Arts.

**(29) HEALTH DEPARTMENT:**

**(a) Health Department:**

For salaries, other expenses, equipment purchases and transfers for County Health Work, estimated .....	1,658,785.00
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The above appropriations are payable from the funds transferred to this ac-

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count from the General and Mental Health Fund as provided in Act. No. 654, 1965 Regular Session.

(b) Health Department:

For salaries, other expenses, equipment purchases, and transfers for County Health Work, estimated .....	2,121,300.00
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The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 275 1967 Regular Session.

(c) County Health Work:

For salaries, other expenses, and equipment purchases, estimated .....	2,869,000.00
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The above appropriations are payable from any funds transferred to this account in Item III A (52) (a) and funds transferred in Item III C (29) (a) and Item III C (29) (b) in this Act. In addition to the above appropriation, and funds received for this work from the several counties or the Federal Government are hereby appropriated.

(d) Ambulance Operators (Emergency Medical Services)

For salaries, other expenses and equipment purchases, estimated .....	55,650.00
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The above appropriations are payable from the funds in the Emergency Medical Services Fund as provided in Act No. 1590, 1971 Regular Session and shall include any funds transferred to this account in Item III A (52) (a) of this Act.

(e) Hearing Aid:

For salaries .....	2,867.00
For other expenses .....	9,150.00
For equipment purchases .....	600.00

Total .....	12,617.00
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The above appropriations are payable from the funds in the Hearing Aid Fund as provided in Act No. 2425, 1971 Regular Session.

(f) Hospital Licensing:

For salaries and other expenses, estimated .....	37,500.00
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The above appropriations are payable from funds in the Hospital Licensing Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall include any funds transferred in Item III A (52) (a) in this Act.

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- (g) Indigent Care:  
For salaries and for distribution to  
counties, estimated ..... 337,442.00  
The above appropriations are payable  
from any funds transferred to this  
account in Item III A (52) (a) of this  
Act. In addition to the above appro-  
priation, any funds received for this  
work from the several counties or the  
Federal Government are hereby ap-  
propriated.
- (h) Medicaid:  
For the operation of the Medicaid  
Program ..... 50,273,500.00  
The above appropriations are payable  
from the funds transferred to this ac-  
count in Item III A (52) (b) of this  
Act. In addition to the above appro-  
priations, any and all funds received  
to the credit of the Medicaid Program  
from whatever source including all  
funds received from the Federal Gov-  
ernment are hereby appropriated.  
(Provided no more than 10% override  
of  $\frac{1}{4}$  of budget can be spent in the  
first quarter, 5% override in the second  
quarter. Budget must be balanced  
third and fourth quarters. Funds can  
be carried over from quarter to quar-  
ter and no funds will lapse if not spent  
in any quarter.)
- (i) Bureau of Vital Statistics:  
For salaries, other expenses and equip-  
ment purchases, estimated ..... 410,000.00  
The above appropriations are payable  
from the funds in the Vital Statistics  
Fund and shall include any funds  
transferred to this account in Item III  
A (52) (a) of this Act.
- (j) Water Plant Operators Certifications:  
For expenses and equipment purchases.... 4,250.00  
The above appropriations are payable  
from the funds in the Water Plant  
Operators Certifications Fund as pro-  
vided in Act No. 1594, 1971 Regular  
Session.
- (k) Water Well Standards Board, Alabama:  
For salaries, other expenses and equip-  
ment purchases ..... 48,933.00  
The above appropriations are payable  
from the Water Well Standards Board  
Fund as provided in Act No. 1516, 1971  
Regular Session.
- (30) THE OFFICE OF HIGHWAY AND  
TRAFFIC SAFETY:  
For salaries, other expenses, and equipment  
purchases ..... 75,000.00

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The above appropriations are payable from the funds transferred to this account in Item III A (54) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.

**(31) ALABAMA HISTORICAL COMMISSION:**

For operations of the Alabama Historical Commission .....	144,720.00
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The above appropriations shall be paid from the Alabama Historical Commission Fund transferred to this account in Item III A (55) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Historical Commission from whatever source are hereby appropriated.

**(32) DEPARTMENT OF INDUSTRIAL RELATIONS:**

For the salary of the Director, estimated .....	22,694.00
For transfer to the State Personnel Department .....	35,420.00

For transfer to Telephone Revolving Fund .....	159,536.00
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For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds, services and operations for which the United States Government may provide monies; there is hereby appropriated.

In addition to the amounts appropriated herein in Item III A (58) all such sums as the United States Government may make available therefor.

**(33) STATE INSURANCE FUND:**

For salaries .....	161,470.00
For other expenses .....	53,331.00
For equipment purchases .....	3,000.00
For automotive equipment purchases .....	5,000.00

Total .....	222,801.00
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The above appropriations are payable from the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

**(34) LAW ENFORCEMENT FUND .....** 10,000.00

The above appropriations shall be paid from the proceeds deposited to the credit of the Law Enforcement Fund pursuant to Title 29, Section 251, Code of Alabama 1940, as amended, and the expenditures authorized

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from such funds are limited to the amount appropriated herein.

(35) **LIQUEFIED PETROLEUM  
GAS BOARD:**

For salary of Director, estimated .....	18,018.00
For other salaries .....	35,582.00
For other expenses .....	17,000.00
For equipment purchases .....	1,000.00

Total .....

71,600.00

The above appropriations shall be paid from receipts paid into the Liquefied Petroleum Gas Fund.

(36) **BOARD OF NURSES'  
EXAMINERS AND  
REGISTRATION:**

For salaries .....	123,270.00
For other expenses .....	95,000.00
For equipment purchases .....	2,500.00
For automotive equipment purchases .....	4,000.00

Total .....

224,770.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

(37) **BOARD OF NURSING HOME  
ADMINISTRATION:**

For expenses incident to the operation and maintenance of the Board of Nursing Home Administration, estimated .....	23,600.00
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23,600.00

The above appropriations shall be paid from receipts paid into the Board of Nursing Home Administration Fund.

(38) **PEACE OFFICERS ANNUITY  
AND BENEFIT FUND, ALABAMA:**

For salaries .....	81,321.00
For other expenses .....	39,200.00
For equipment purchases .....	3,000.00

Total .....

123,521.00

The above appropriations shall be paid from the Peace Officers Annuity and Benefit Fund as provided in Act No. 1210, 1971 Regular Session.

(39) **PENSIONS:**

(a) For Confederate Veterans and their widows:

Such an amount as may be necessary to pay all the pensions allowed to Confed-

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erate soldiers and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.

**(40) DEPARTMENT OF PENSIONS AND SECURITY:**

For the salary of the Commissioner, estimated .....	22,694.00
For transfer to the State Personnel Department .....	106,120.00
For transfer to Tele. Revolving Fund .....	126,496.00
For other salaries, expenses, equipment purchases and automotive equipment purchases incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated. In addition to the amounts set out in Item III A (73), all Federal, State, County and Municipal Funds made available therefor.	

**(41) PERSONNEL DEPARTMENT.**

For the salary of the Director, estimated .....	22,605.25
For other salaries .....	440,000.00
For other expenses .....	145,244.75
For equipment purchases .....	17,150.00
Total .....	625,000.00

The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

**(42) BOARD OF EXAMINERS OF PSYCHOLOGY:**

For salaries, other expenses, and equipment purchases, estimated .....	2,640.00
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The above appropriations shall be paid from the receipts paid into the Board of Examiners of Psychology Fund and shall include the appropriation made in Item III A (79) of this Act.

**(43) BUREAU OF PUBLICITY AND INFORMATION:**

For salaries .....	85,070.00
For other expenses .....	79,600.00
For equipment purchases .....	4,000.00
For automotive equipment purchases .....	5,000.00
For advertising .....	650,000.00
Total .....	823,670.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

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**(44) PUBLIC SCHOOL FUND:**

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

**(45) PUBLIC SERVICE  
COMMISSION:**

For salary of the President and Two Associate Commis- sioners .....	62,085.00	
For other salaries .....	1,100,000.00	
For other expenses .....	329,000.00	
For equipment purchases .....	20,000.00	
For automotive equipment purchases .....	30,000.00	
For transfer to telephone Rev. Fd. ....	16,740.00	1,557,825.00

The above appropriations to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission at the end of the fiscal year in excess of \$300,000.00 shall be transferred to the State General Fund.

**(46) ALABAMA REAL ESTATE  
COMMISSION:**

For salaries .....	125,000.00	
For other expenses .....	75,000.00	
For equipment purchases .....	10,000.00	
Total .....		210,000.00

The above appropriations shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, Code of Alabama 1940, as amended, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

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## (47) DEPARTMENT OF REVENUE:

## Auto Title and Auto Theft Fund:

For expenses incident to the operations of the Auto Title and Auto Theft Act, estimated .....

500,000.00

The above appropriation shall be paid from funds in the State Treasury to the credit of the Auto Title and Auto Theft Fund and shall include the appropriation made in Item III A (86) (b).

## (48) DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item III A (86) (a) of this Act .....

1,201,096.54

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Financial Institution Excise Tax collections as part of the cost of operating said Department....

124,416.37

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Forest Severance Tax Collections as part of the cost of operating said Department....

126,809.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Gaso-Tax Collections as part of the cost of operating said Department .....

832,632.66

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Income Tax Collections for the cost of collecting said tax .....

2,765,871.71

There is hereby appropriated for transfer to Revenue Department Administrative Account from the gross proceeds of Motor Fuel Tax Collections as part of the cost of operating said Department .....

480,917.14

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Vehicle License Collections as part of the cost of operating said Department .....

486,898.70

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax .....

148,342.60

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax .....

367,267.57

There is hereby appropriated for transfer to Revenue Department, Administrative Ac-



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count from the gross proceeds of Sales Tax Collections as part of the cost of operating said Department .....	3,848,533.43
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Tobacco Tax Collections as part of the cost of operating said Department .....	793,154.39
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Utility Tax Collections as provided in Act No. 37, 1969 Special Session .....	247,636.44
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Use Tax Collections as part of the cost of operating said Department .....	379,230.68
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Cigarette Tax Collections Act 275, 1967 Regular Session as part of the cost of operating said Department .....	160,305.71
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags .....	1,552,500.00

(49) DEPARTMENT OF REVENUE—  
ADMINISTRATIVE ACCOUNT:

For salary of Commissioner .....	22,728.94	
For other salaries .....	7,958,254.00	
For other expenses, estimated .....	2,497,600.00	
For equipment purchases .....	30,000.00	
For automotive equipment purchases .....	22,000.00	
For transfer to State Personnel Department .....	24,780.00	
For transfer to Telephone Revolving Fund .....	29,160.00	
Total .....		10,584,522.94

The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount, hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.

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(50) STATE BOARD OF  
REGISTRATION FOR  
SANITARIANS:

For salaries .....	1,200.00
For other expenses .....	1,900.00

Total .....	3,100.00
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The above appropriations shall be paid from the receipts collected under the provisions of Act No. 209, 1964 Second Special Session.

The appropriations hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.

(52) ALABAMA THERAPIST  
BOARD:

The expenses .....	6,700.00
For equipment purchases .....	200.00

Total .....	6,900.00
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The above appropriations shall be paid from receipts paid into the Alabama Therapist Board Fund.

(53) STATE BOARD OF  
VETERINARY MEDICAL  
EXAMINERS:

For salaries .....	100.00
For other expenses .....	11,500.00
For equipment purchases .....	400.00

Total .....	12,000.00
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The above appropriations are payable from the funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

(54) UNIVERSITY OF ALABAMA—  
BIRMINGHAM—MEDICAL CENTER:

For constructing, operating and maintaining a school or college of Optometry, estimated	15,000.00
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The above appropriations shall be paid from the funds in the State Treasury to the credit of the Optometry Trust Fund.

(55) (1) BOARD OF TRUSTEES OF UNIVER-  
SITY OF ALABAMA:

(a) For the University of Alabama in Birmingham, for salaries, stipends and scholarships in Psychiatry; for the training of professional Mental Health personnel and psychiatric nurses, and state indigent mental patients .....	2,200,000.00
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(b) Center for Learning disorders for Mental Retardation .....	100,000.00
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(2) TO STATE MENTAL HEALTH  
DEPARTMENT:

- (a) For operation and maintenance of the State Mental Health Department including the purchase of drugs to medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals ..... 32,122,872.45
- Conditional upon the condition of the fund and upon the approval of the Governor ..... 3,900,000.00
- (b) For operation and maintenance of Community Mental Health Programs ..... 6,650,000.00
- (3) For payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment CXLI ..... 200,910.20
- (The appropriations hereinabove made in Items 1, 2, 3 shall be paid from the funds deposited in the State Treasury to the credit of the Special Mental Health Fund.)

(4) STATE DEPARTMENT OF MENTAL  
HEALTH:

- For transfer to the State Personnel Department ..... 151,410.00
- For transfer to Telephone Revolving Fund ..... 186,440.00
- For support, maintenance and capital expenditures the several sums appropriated in Item 4 of sub-section (55) and the amounts provided in Act No. 654, 1965 Regular Session and Act No. 275, 1967 Regular Session and the Education Appropriation Bill are hereby appropriated. Expenditures to be made at the direction of the Alabama Mental Health Board.

(56) HIGHWAY DEPARTMENT:

- (1) There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highway and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, or Alabama Highway Finance Corporation, so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment.
- (2) There are also appropriated, out of the revenues accruing to the State High-

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way Department, the following sums for the following purposes:

(a) For transfer to the State Personnel Department .....	139,580.00
(b) For the administration of the State Highway Department for salaries and other expenses .....	5,600,000.00
(c) For operation of the State Highway Department, for salaries and other expenses .....	505,000.00
(d) For the supervision of the State Highway Department, for salaries and other expenses .....	9,563,000.00
(e) For equipment purchases, Road Machinery and Equipment .....	7,000,000.00
(f) For Equipment Purchases—Other Equipment .....	500,000.00
(g) For the maintenance of roads and bridges in the State Highway System, for salaries and other expenses .....	31,334,991.50
(h) For the purchase or construction of land and building for the operation of the Highway Department .....	1,500,000.00
(i) For the maintenance of roads and bridges in the State Highway System, for salaries and other expenses, conditional upon the release of any of the conditional appropriations contained in Section 2, III, A (113) of this Act .....	3,000,000.00
(j) To establish a Revolving Fund for Inventories, Manufacturing, and clearing accounts .....	4,500,000.00
(k) For transfer to the Telephone Revolving Fund .....	112,808.00
(3) There are also appropriated out of the proceeds from the sale of bonds that may hereafter be issued for public highway and bridge purposes, or either, by the State of Alabama or by Alabama Highway Authority of the revenues accruing to the State Highway Department, the following sums for the following purposes:	
(a) For matching Federal Funds .....	39,000,000.00
(b) For construction of feeder roads and other portions of, or work in respect to, Federal Aid Projects for which portions or work Federal Matching Funds are not available .....	3,000,000.00
(c) For construction of roads and bridges for which no matching funds are available .....	7,995,037.50

The Highway Director with the consent of the Governor and the Budget Officer shall have the authority to transfer any appropriation or any portion thereof between and among sub-sections (a), (b), (c) of this section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available.

(4) In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable:

(a) In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

(1) the appropriations made in Section 1 hereof shall be paid in full:

(2) the appropriations made in Section 2 hereof shall be paid in full:

(3) the appropriations from the revenues accruing to the Highway Department that are herein made for the purposes referred to in Section 3 hereof shall be allocated among the purposes referred to in the said Section 3 in such order and with such priorities as the State Highway Director shall from time to time direct; and

(5) The funds appropriated in Section 3 hereof, for the matching of Federal funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purposes for which such appropriation was made.

(6) In addition to the appropriations hereinabove made there is hereby appropriated to the State Highway Department the funds accruing thereto from the so-called "Captive Counties" for road and bridge construction and maintenance, and for salaries, other expenses, equipment purchases, and automotive equipment purchases related thereto to be expended only for the benefit of the particular county or counties from which such revenues are derived.

(7) In addition to all appropriations hereinabove made, there is hereby appropriated to the State Highway Department all Federal funds accruing thereto to be expended only for the purposes for which such funds are made available.

(8) Not later than ninety (90) days following the end of each fiscal year for which appropriations are made herein, the State Highway Director shall transmit to the Governor, the Lieutenant Governor, and each member of the Legislature, a report stating the portions of each appropriation made herein that have been spent in each county in the State during the fiscal year then ended.

(57) ALABAMA SPECIAL EDUCATIONAL TRUST FUND:

There are also appropriated, out of the revenues accruing to the Alabama Special Educational Trust Fund the following sums for the following purposes:

(1) UNIVERSITY OF ALABAMA—UNIVERSITY HOSPITAL & CLINICS:

For operation and maintenance .....	2,000,000.00
(Provided that insurance companies, whether operated for profit or not for	

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profit, licensed under the laws of the State of Alabama to underwrite health and accident insurance, are hereby prohibited from applying or taking into account in any manner whatsoever any portion of this appropriation in determining reimbursement to University Hospital and Clinics for patient care services.)

(2) **UNIVERSITY OF SOUTH ALABAMA—  
UNIVERSITY MEDICAL CENTER:**

For operation and maintenance ..... 500,000.00

(Provided that insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama to underwrite health and accident insurance, are hereby prohibited from applying or taking into account in any manner whatsoever any portion of this appropriation in determining reimbursement to University Medical Center for patient care services.)

- (3) For transfer to State Department of Mental Health to be expended by the State Department of Mental Health to educate, train and rehabilitate persons under the care and control of the State Department of Mental Health who have emotional and psychological problems or mental deficiencies requiring such special education, training and rehabilitation at Partlow State School and Hospital and other institutions where such persons reside ..... 19,000,000.00
- (4) For Transfer to the State General Fund ..... 8,957,000.00

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency (when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency) is insufficient to pay all the salaries in that office, department, bureau, board, commission or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, that amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount

allocated herein except for those appropriations designated as "estimated", and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. There is hereby appropriated the following amounts which are anticipated to be received by the State of Alabama during the period October 1, 1975, through September 30, 1976, as grants or entitlements under the State and Local Fiscal Assistance Act of 1972, Public Law 92-512, 92nd Congress, 1972.

A. Parks:

For operation and maintenance of the Parks System .....	2,250,000.00
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B. Mental Health .....	8,000,000.00
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C. Transportation .....	15,000,000.00
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D. Board of Corrections: For operations .....	5,000,000.00
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E. Economic and Community Development .....	1,500,000.00
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F. General Government .....	2,205,972.00
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The appropriations made in this sub-section shall not revert or lapse but shall remain available for the purposes for which the appropriations were made.

In the event that the amount of funds actually received is greater than the anticipated grants or entitlements under the State and Local Fiscal Assistance Act of 1972, the Governor may direct the excess over the anticipated entitlement in such order and with such priorities as he deems proper.

In the event that the amount of funds actually received is less than the anticipated grants or entitlements under the State and Local Fiscal Assistance Act of 1972, the Governor may direct such reductions in amounts herein appropriated as he deems proper.

Any unappropriated balances from the previous fiscal years or interest heretofore or hereafter earned from investments of funds received as grants or entitlement; under the State and Local Fiscal Assistance Act of 1972, are hereby appropriated for such purpose or purposes as the Governor deems necessary.

Section 8. No funds appropriated herein may be expended for rent, leases, contracts, or purchases of data processing equipment or services or for rent for any office space on any contract, lease, purchase, or agreement made prior to September 30, 1975 for such items, unless approved or re-approved on or after October 1, 1975, by the Division of Data System Management and the Director of Finance.

Section 9. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 10. That all laws and parts of laws, general, special, private, or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 11. That this Act shall become effective October 1, 1975.

#### COMMITTEE ON CONFERENCE REPORT ADOPTED

On motion of Mr. Merrill, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 490, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 93; Nays 1.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Greer, Gregg, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—93

Nay: Mr. Hall.

—1

And the bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 96; Nays 2.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Greer, Gregg, Harris, Harrison,



Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegus, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—96

Nays: Messrs.: Hall and Naramore.

—2

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Gafford, the rules were suspended in order to receive the amended bill, H. 1373, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1373. To exempt warrants issued by a county under the provisions of Act No. 1092 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying the cost of appraisal of property as required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature of Alabama from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

MCDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Gafford, the House concurred in and adopted the Senate amendment to the bill, H. 1373, said Senate amendment being as follows:

#### A BILL TO BE ENTITLED AN ACT

To exempt waterworks boards now or hereafter organized under the provisions of Act No. 175 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama:

Section 1. Each waterworks board now or hereafter organized under the provisions of Act No. 175 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, is hereby exempted from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Section 2. This act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Cooper, Crawford, Crowe, Drake, Falkenburg, Folmar, Ford, Gafford, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Holley, Hopping, Johnstone, Jolly, Kelley, Kinsey, Lee, LeFlore, Leonard, Lewis, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Pegues, Plaster, Quarles, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—72

And the bill:

H. 1373. To exempt waterworks boards now or hereafter organized under the provisions of Act No. 175 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

As thus amended, was again read at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Crawford, Cross, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Johnstone, Jolly, Kelley, Kinsey, Lee, LeFlore, Lewis, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—77

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Gafford, the rules were suspended in order to receive the amended bill, H. 1194, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1194. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama which section provides for the issuance of revenue bonds by a board of water and sewer commissioners, by changing the rate of interest that such bonds may bear.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Mr. Gafford, the House concurred in and adopted the Senate amendment to the bill, H. 1194, said Senate amendment being as follows:

On line 31 of page 1 delete the figure 9 where is appears therein and insert in lieu thereof the figure 10.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Lewis, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—76

And the bill, H. 1194 as thus amended, was again read at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Howard, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Lewis, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—84

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Gafford, the rules were suspended in order to receive the amended bill, H. 390, on the thirty-sixth legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 390. Proposing an amendment to Article 4, Section 106 of the Constitution of Alabama to reduce the time required for publication of notice of local legislation and also dispensing with the requirement of spreading notice and proof of local legislation on the journals of each house by providing that the Clerk of the House or the Secretary of the Senate shall merely certify in the appropriate journal that notice and

proof was attached to the local legislation and is attached as a matter of public record to the original copy of the bill filed in the Department of Archives and History.

McDOWELL LEE,  
Secretary.

### SENATE MESSAGE

On motion of Mr. Gafford, the House concurred in and adopted the Senate amendment to the bill, H. 390, said Senate amendment being as follows:

### A BILL TO BE ENTITLED AN ACT

Proposing an amendment to Article 4, Section 106 of the Constitution of Alabama to dispense with the requirement of spreading notice and proof of local legislation on the journals of each house by providing that the Clerk of the House or the Secretary of the Senate shall merely certify in the appropriate journal that notice and proof was attached to the local legislation and is attached as a matter of public record to the original copy of the bill filed in the Department of Archives and History.

Be It Enacted by the Legislature of Alabama:

Section 1. Article 4, Section 106 of the Constitution of Alabama is hereby amended to read as follows:

"Section 106. No special, private, or local law shall be passed on any subject not enumerated in section 104 of this Constitution, except in reference to fixing the time of holding courts, unless notice of the intention to apply therefore shall have been published, without cost to the state, in the county or counties where the matter or thing to be affected may be situated, which notice shall state the substance of the proposed law and be published at least once a week for four consecutive weeks in some newspaper published in such county or counties or if there is no newspaper published therein, then by posting the said notice for two consecutive weeks at five different places in the county or counties prior to the introduction of the bill; and proof that said notice has been given shall be exhibited to each house of the legislature through a certification by the Clerk of the House or Secretary of the Senate that notice and proof was attached to the subject local legislation and the notice and proof shall be attached to the original copy of the subject bill and shall be filed in the Department of Archives and History where it shall constitute a public record. The courts shall pronounce void every special, private, or local law which the journals do not affirmatively show was passed in accordance with the provisions of this section.

"This amendment shall be self-executing, and no enabling legislation shall be necessary."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for at least four successive weeks next

preceding the day appointed for the election in a newspaper in each county in the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—83

And the bill:

H. 390. Proposing an amendment to Article 4, Section 106 of the Constitution of Alabama to dispense with the requirement of spreading notice and proof of local legislation on the journals of each house by providing that the Clerk of the House or the Secretary of the Senate shall merely certify in the appropriate journal that notice and proof was attached to the local legislation and is attached as a matter of public record to the original copy of the bill filed in the Department of Archives and History.

As thus amended, was again read at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—83

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McCulley, the rules were suspended in order to receive the amended bill, H. 658, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 658. To amend Section 25 of Act No. 1, Regular Session 1945 (Acts of Alabama 1945, p. 1), by increasing the permit fee for oil and gas

wells and to provide for the disposition of permit fees, penalties and publication fees in the Oil and Gas Fund.

McDOWELL LEE,  
Secretary.

### SENATE MESSAGE

On motion of Mr. McCulley, the House concurred in and adopted the Senate amendment to the bill, H. 658, said Senate amendment being as follows:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 25 of Act No. 1, Regular Session 1945 (Acts of Alabama 1945, p. 1), by increasing the permit fee for oil and gas wells and to regulate further the disposition and use of such permit fees.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 25 of Act No. 1, Regular Session 1945 (General Acts of Alabama 1945, p. 1), is hereby amended to read as follows:

"Section 25. Any person desiring or proposing to drill any well in search of oil or gas, before commencing the drilling of any such well, shall notify the State Oil and Gas Supervisor upon such form as the State Oil and Gas Supervisor may prescribe and shall pay to the State Treasurer a fee of \$250.00 for each such well. The drilling of any well is hereby prohibited until such notice is given and such fee has been paid as herein provided. The State Oil and Gas Supervisor shall have the power and authority to prescribe that the said form indicate the exact location of such well, the name and address of the owner, operator, contractor, driller, and any other person responsible for the conduct of drilling operations, the proposed depth of the well, the elevation of the well above sea level, and such other relevant information as the State Oil and Gas Supervisor may deem necessary or convenient to effectuate the purposes of this Act. All funds paid to the State Treasurer pursuant to the provisions of this section shall be paid into the general fund and disbursed by the State Treasurer upon warrants drawn by the State Oil and Gas Supervisor for the purpose of defraying expenses incurred by the State Oil and Gas Supervisor in the performance of his duties under this Act, provided, however, the amount of such expenses, including salary, travel, equipment and all items of cost necessary for the enforcement of the provisions of this Act shall be limited to the amount appropriated therefor by the legislature and shall be budgeted, allotted and expended pursuant to Code of Alabama 1940, Title 55, Chapter 4, Article 3."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Cates, Coburn, Crawford, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Harris, Higginbotham, Hines, Holley, Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Mitchem, Moore (O), Naramore,

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Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—72

And the bill:

H. 658. To amend Section 25 of Act No. 1, Regular Session 1945 (Acts of Alabama 1945, p. 1), by increasing the permit fee for oil and gas wells and to regulate further the disposition and use of such permit fees.

As thus amended, was again read at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Cates, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Gregg, Hall, Harris, Higginbotham, Hines, Holley, Holmes, Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNeas, Manley, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Teague, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—75

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Sonnier, the rules were suspended in order to receive the amended bill, H. 1075, on the thirty-sixth legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Mr. Sonnier, the House concurred in and adopted the Senate amendment to the bill, H. 1075, said Senate amendment being as follows:

Amend House Bill 1075 as follows:

On Page 1, Section 1, Line 33 delete the words "human foot" and substitute in lieu thereof the words "phalanges and metatarsals, but not the tarsals."

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Cates, Coburn, Crawford, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith J, Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—77

And the bill, H. 1075 as thus amended, was again read at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Boles, Campbell, Carothers, Coburn, Crawford, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Jolly, Kelley, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—67

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Kennedy, the rules were suspended in order to receive the amended bill, H. 1243, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1243. Relating to Mobile County; providing for the reapportionment of the Mobile County Board of School Commissioners to consist of five members elected from the House Districts or portions thereof which are located within the boundaries of Mobile County; providing for election and length of term for the new commissioners.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Kennedy, the House concurred in and adopted the Senate amendment to the bill, H. 1243, said Senate amendment being as follows:

In Section 4, on page 2, strike out the words and figures, "Districts 2 and 3", and insert in lieu thereof the following: Districts 3 and 4.



Also in Section 6, on page 2, strike out the following words and figures: "Districts 4 and 5", and insert in lieu thereof the following:

Districts 2 and 5

Amend H. B. 1243 as follows:

On page 2 strike Section 5 in its entirety and insert in lieu thereof the following:

"Section 5. The member for District 1 shall be elected at the general election of November, 1978 for a term of two years and shall take office on the first Tuesday of January 1979, at which time Place 1 of the present School Board, scheduled for election in 1978, shall be abolished; and thereafter District 1 shall be elected at the general election held every four years."

Further amend H. B. 1243 as follows:

On page 2 in line 2 of Section 6 by striking the figures "1981" and inserting in lieu thereof the figures "1980".

Amend the Substitute for H. B. 1243, page 2, by inserting, after Section 6, the following new section:

Section 7. The present members of the Board of School Commissioners shall continue to serve until their successors are elected and qualified. Nothing contained in this Act shall be construed to prevent any such member from serving out any unexpired portion of his current term, nor shall it be construed to shorten the term of any such member.

Also, by renumbering subsequent sections accordingly.

Yeas 73; Nays 1.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Boles, Callahan, Campbell, Carter, Cates, Coburn, Crawford, Dial, Drake, Edwards, Falkenburg, Folmar, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (R), Johnstone, Kelley, Kennedy, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Teague, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—73

Nay: Mr. Jolly.

—1

And the bill, H. 1243 as thus amended, was again read at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Boles, Callahan, Campbell, Carter, Cates, Coburn, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Glass, Greer, Gregg, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Pegues, Plaster, Quarles, Reed, Riddick, Roberts,

Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Teague, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—75

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Lee, the rules were suspended in order to receive the amended bill, H. 113, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 113. To provide for and regulate absentee voting in primary, general, special and municipal elections; prescribing penalties for violations of the Act; repealing conflicting laws and specifically repealing Act No. 424, H. 351, Regular Session 1949 (Acts 1949, page 601) and all acts amendatory and supplemental thereto.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Lee, the House concurred in and adopted the Senate amendment to the bill, H. 113, said Senate amendment being as follows:

Amend H. B. 113, page 9, line 5, by inserting the following new section:

"Section 16. The words "register" or "register in chancery" as used in this Act shall also include any successor in function to such register. In any election to which this Act pertains, when the register in chancery is a candidate for any office, he shall be disqualified from performing any of the duties in reference to the handling of absentee ballots which are herein imposed upon him and such register shall, at least thirty (30) days prior to the date of the election, certify that he is disqualified to serve or that he is otherwise prevented from serving, to the presiding judge of the circuit court of the county. Thereupon, such circuit judge shall appoint a person qualified by training and experience and who is a qualified elector of the county and who is not a candidate in the election to perform the duties of the register in chancery as prescribed by this Act and designate the place or office where said duties shall be performed. Any person so appointed shall have all the powers, duties, and responsibilities of the register in chancery under this Act and shall be designated and known as "absentee election manager". Any person so appointed to serve as "absentee election manager" is authorized and empowered to administer oaths under this Act and shall be entitled to the same compensation as the register in chancery for the performance of such duties required by this Act, and the place or office designated for the performance of his duties shall be open on the days and during the hours as that of the register in chancery prior to each election and said "absentee election manager's" duties shall terminate at the end of election day."

Also by renumbering subsequent sections accordingly.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards,

Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNeese, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Teague, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—81

And the bill, H. 113 as thus amended, was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Boles, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Teague, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

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#### SENATE MESSAGE

Mr. Robertson offered the motion that the House not accede to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 1097.

#### SUBSTITUTE MOTION ADOPTED

The substitute motion offered by Mr. Lee to temporarily carry over consideration of the request of the Senate for a Committee on Conference on the bill, S. 1097 was adopted.

#### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a Message from the Governor relative to House Bill Number 1278, and containing a suggested Executive Amendment.

Respectfully submitted,

HENRY B. STEAGALL, II,  
Executive Secretary.

Done this 9 day of October, 1975.

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 1278, without my signature and approval and with the following suggested Executive Amendment.

It is my suggestion that you amend Section 1 of House Bill Number 1278 by deleting the word "gross", and inserting in lieu thereof the word "net".

The adoption of the above and foregoing Executive Amendment will remove my objections to this bill.

Respectfully,

GEORGE C. WALLACE,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Cross, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1278, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 87; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kennedy, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Malone, Manley, Martin, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—87

And the bill:

H. 1278. Relating to Lawrence County; to provide that a certain percentage of the proceeds accruing to the Alabama Department of Aeronautics from any rental or lease agreement covering certain lands in said county shall be deposited to the Lawrence County general fund; requiring all such leases to be let on a competitive bid basis.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 78; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin,

Greer, Gregg, Hall, Harris, Higginbotham, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, Malone, Manley, Martin, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Trammell, Venable, Warren, Weeks, Whatley, White, Williams and Wyatt.

—78

MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor concerning House Bill Number 1518, and containing a suggested Executive Amendment.

Respectfully submitted,

HENRY B. STEAGALL, II,  
Executive Secretary.

Done this 9 day of October, 1975.

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Lady and Gentlemen:

At the request of the sponser, I am returning to you, the body in which it originated, House Bill Number 1518 without my signature and approval and with the following suggested Executive Amendment.

It is suggested that you amend House Bill Number 1518 by deleting Section 21 in its entirety and substituting in lieu thereof the following:

"Section 21. All laws and parts of laws, general, special, or local, in conflict with any of the provisions of this act, shall be and the same are hereby repealed, provided, however, that in case of conflict between any provisions of this act and Act Number 390, H. 986, 1975 Regular Session, said Act Number 390, H. 986, 1975 Regular Session shall prevail."

The adoption of the above and foregoing Executive Amendment will remove my objections from this bill.

Respectfully,

GEORGE C. WALLACE,  
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Waggoner, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1518, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 82; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford,

Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hines, Holley, Holmes, Hopping, Jackson (R), Johnstone, Jolly, Kelley, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Teague, Trammell, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—82

And the bill:

H. 1518. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Dial, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hines, Holley, Holmes, Hopping, Jackson (R), Johnstone, Jolly, Kelley, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Martin, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

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#### SPECIAL ORDER RESUMED MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Manley, the rules were suspended in order to bring up out of order the bill, S. 845.

And the bill:

S. 845. To authorize every municipality in the State of Alabama and certain public corporations to transfer and convey, without an election, any gas system or part thereof, now or hereafter owned by such municipality or public corporation to any utility corporation subject to regulation by the Alabama Public Service Commission; to require prior approval by the said Commission of any such transfer and conveyance and of the terms thereof; to require that any such transfer and conveyance be made for not less than fair market value as determined by the said Commission; and to require prior approval, by each municipality which authorized, consented to, or made determinations prerequisite to the incorporation of a particular public corporation, of any such transfer or conveyance by such public corporation.

Was read a third time at length and passed.

Yeas 77; Nays 4.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper,

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Crawford, Edwards, Folmar, Ford, Gafford, Glass, Greer, Hall, Harris, Harrison, Hill, Hines, Holley, Holmes, Johnstone, Jolly, Kelley, Killian, Kinsey, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Merrill, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Venable, Waggoner, Weeks, White, Williams and Wyatt.

—77

*Nays:* Messrs.: Dial, Hilliard, Jackson (R) and Leonard.

—4

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Falkenburg, the rules were suspended in order to bring up out of order the bill, S. 772.

And the bill:

S. 772. To provide for a treatment program for persons suffering from hemophilia and related diseases, and the administration therefor; and appropriating \$300,000 from the Special Education Trust Fund for the purposes of this act.

Was read a third time at length and passed.

Yeas 80; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross, Dial, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Teague, Trammell, Venable, Waggoner, Weeks, White, Williams and Wyatt.

—80

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McNair, the rules were suspended in order to bring up out of order the bills, S. 300 and S. 301.

And the bill:

S. 300. To amend Act No. 37, H. 175, Special Session 1969 (Acts 1969, p. 88) as amended and as also appearing as Title 51, Sections 188 (10) - 188 (18), Code of Alabama, 1940, which relates to the levy of a service use tax on utilities, so as to exclude public schools including all institutions of higher education, junior colleges and trade schools of this state from the provisions of said act.

Was read a third time at length and passed.

Yeas 78; Nays 1.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross,

Crowe, Dial, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCulley, McMillan, McNeese, Malone, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Teague, Trammell, Venable, Weeks, Whatley, White, Williams and Wyatt.

—78

Nay: Mr. McCluskey.

—1

And the bill:

S. 301. To amend Act No. 21, H. 28, Special Session 1969 (Acts 1969, p. 46) as amended and as also appearing as Title 51, Sections 188 (1) - 188 (9), Code of Alabama, 1940, which relates to the levying of a gross receipts tax on utilities, so as to exclude public schools including but not limited to all institutions of higher learning, junior colleges, and trade schools of this state from the provisions of said act.

Was read a third time at length and passed.

Yeas 79; Nays 1.

Yeas:

Messrs.: Albright, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Crawford, Cross, Crowe, Dial, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCulley, McMillan, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Taylor, Teague, Trammell, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—79

Nay: Mr. McCluskey.

—1

#### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Lady and Gentlemen:

I am herewith transmitting to you a Message from the Governor relative to House Bill Number 1866, and containing a suggested Executive Amendment.

Respectfully submitted,

HENRY B. STEAGALL, II,  
Executive Secretary.

Done this 9th day of October, 1975.



To the House of Representatives  
State Capitol  
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 1866 without my signature and approval and with the following suggested Executive Amendment.

It is my suggestion that you amend House Bill Number 1866 by deleting Section 6 in its entirety, and substituting in lieu thereof the following:

"Section 6. The proceeds of the tax hereby authorized, less the actual costs of collection not to exceed ten per centum (10%), shall be paid by the state Department of Revenue into the DeKalb County general fund."

The adoption of the above and foregoing Executive Amendment will remove my objections to this bill.

Respectfully,  
GEORGE C. WALLACE,  
Governor.

#### GOVERNOR'S MESSAGE

On motion of Mr. Mitchem, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1866, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Johnstone, Jolly, Kelley, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Teague, Trammell, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—73

And the bill:

H. 1866. Relating to DeKalb County; authorizing the DeKalb County Commission to levy an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn,

Crawford, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hop-ping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCulley, McMillan, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Teague, Trammell, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—80

## SPECIAL ORDER RESUMED

## MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Carter, the rules were suspended in order to bring up out of order the bill, S. 307.

And the bill:

S. 307. To make unlawful the selling of certain game fish caught or taken from any of the fresh waters of this or any other state, providing certain exceptions and prescribing the penalty for violations.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Edwards, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Teague, Trammell, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—80

## MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Barron, the rules were suspended in order to bring up out of order the bill, S. 704.

And the bill:

S. 704. To provide for eligibility of Supernumerary District Attorneys by amending Section 1 of Act No. 1873, S. 255, 1971 Regular Session, Acts 1971, p. 3053 [(now appearing in Code of Alabama Recompiled 1958, Title 13, Section 260 (11b)], as amended.

Was read a third time at length and passed.

Yeas 82; Nays 2.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Barron, Biddle, Boles, Brindley, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Howard, Jack-

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son (F), Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, Malone, Manley, Martin, Moore (O), Moore (W), Naramore, Owens, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Venable, Weeks, Whatley, White, Williams and Wyatt.

—82

Nays: Messrs.: Dial and Morris.

—2

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Smith (J), the rules were suspended in order to bring up out of order the bill, S. 683.

And the bill:

S. 683. To further amend Act No. 753 approved September 12, 1969, creating The Alabama Constitutional Commission.

Was read a third time at length and passed.

Yeas 68; Nays 2.

Yeas:

Messrs.: Albright, Andrews, Baker, Biddle, Brindley, Campbell, Carothers, Cates, Cooper, Crawford, Cross, Dial, Drake, Folmar, Ford, Hall, Harris, Harrison, Higginbotham, Hilliard, Hines, Holley, Holmes, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kennedy, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, McCluskey, McMillan, McNeas, Malone, Martin, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Teague, Trammell, Venable, Waggoner, Whatley and Wyatt.

—68

Nays: Messrs.: Gafford and Lutz.

—2

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Smith (C), the rules were suspended in order to bring up out of order the bill, S. 576.

And the bill:

S. 576. To amend Section 19 of Title 51 of the Code of Alabama 1940 to provide for capital improvements and maintenance at the Confederate Memorial Park located at Mountain Creek, Chilton County, thereby indicating respect for the resting place of valiant Confederate soldiers.

Was read a third time at length and passed.

Yeas 76; Nays 2.

Yeas:

Messrs.: Albright, Baker, Biddle, Boles, Brindley, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross, Dial, Edwards, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz,

McCluskey, McMillan, McNees, Malone, Manley, Martin, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (M), Sonnier, Starkey, Taylor, Teague, Trammell, Tucker, Venable, Waggoner, Weeks, Whatley, White and Williams.

—76

*Nays:* Messrs.: Holmes and Reed.

—2

And the bill:

S. 409. To create an additional Judgeship of the Twenty-Second Judicial Circuit, to be designated Circuit Judge Number Two; to provide for his appointment and election, jurisdiction, powers, duties, authority, and qualifications; to render him liable to all the pains and penalties of other Circuit Judges of the State of Alabama; and to provide for and fix the salary of such Judge.

Was read a third time at length and passed.

Yeas 59; Nays 1.

*Yeas:*

Mr. Speaker, Albright, Baker, Biddle, Boles, Brindley, Campbell, Carothers, Cates, Coburn, Crawford, Dial, Drake, Folmar, Gafford, Goodwin, Greer, Harris, Hill, Hilliard, Hines, Holley, Hopping, Howard, Johnstone, Jolly, Kinsey, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Malone, Manley, Merrill, Mitchem, Moore (O), Morris, Owens, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Starkey, Taylor, Teague, Trammell, Venable, Weeks, White and Williams.

—59

*Nay:* Mr. Whatley.

—1

#### RESOLUTION

The following resolution was introduced:

By Mr. Glass:

H. R. 437. HONORING OUR COLLEAGUE, REPRESENTATIVE DOUGLAS INGE JOHNSTONE, SELECTED BY THE CAPITOL PRESS CORPS AS THE "OUTSTANDING FRESHMAN MEMBER OF THE HOUSE OF REPRESENTATIVES."

WHEREAS, the Capitol Press Corps has named our able and distinguished freshman member, Douglas Inge Johnstone, as the "Outstanding Freshman Representative"; and

WHEREAS, this coveted recognition is a reflection of his ability, conscientiousness, dedication, and diligence in representing his constituents; and

WHEREAS, Representative Johnstone has at all times conducted himself with firmness of conviction while exercising extreme courtesy to all; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we do heartily congratulate Representative Douglas Inge Johnstone on being selected by the Capitol Press Corps as the outstanding freshman legislator and we do enthusiastically concur therein.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Representative Douglas Inge Johnstone as a symbol of our high esteem and our pride in this honor bestowed upon him by the Capitol Press Corps.

On motion of Mr. Glass, the rules were suspended and the resolution, H. R. 437, was adopted.

SPECIAL ORDER RESUMED

And the bill:

S. 1070. Relating to the 14th Judicial Circuit; to provide for an additional Circuit Judge in such Circuit; defining his jurisdiction, powers, rights and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

Was taken up.

Mr. Naramore offered the following amendment to the bill:

1. Amend Senate Bill 1070 by deleting Section 1 in its entirety and substituting therefor the following:

Section 1. There is hereby created an additional judgeship for the 14th Judicial Circuit of Alabama. Such additional judgeship shall be established on the first Monday after the second Tuesday in January, 1976, and shall be designated Judgeship No. 3. The judge for such additional judgeship shall be appointed by the Governor within 10 days after the effective date of this Act, and shall hold office from the date provided herein until the next general election in accordance with Article VI, Sections 158 and 159 of the Constitution of Alabama. The judge for the additional judgeship shall be elected thereafter as other circuit judges in the state.

2. Further amend the bill by striking in Section 2, line 32, the word and substituting therefor the word appointed.

Further amend the bill, by deleting Section 7 in its entirety and substituting therefor the following:

Section 7. This Act shall become effective February 1, 1976.

And the amendment was adopted.

Yeas 56; Nays 1.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Campbell, Cates, Coburn, Crawford, Drake, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Hopping, Howard, Jackson (F), Johnstone, Killian, Kinsey, LeFlore, Lewis, Lockett, McCluskey, McMillan, McNeas, Manley, Martin, Merrill, Mitchem, Moore (O), Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Starkey, Taylor, Teague, Trammell, Tucker, Waggoner, Weeks and Williams.

—56

Nay: Mr. Whatley.

—1

And the bill, S. 1070 as thus amended, was read a third time at length and passed.

Yeas 60; Nays 1.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Boles, Brindley, Campbell, Carter, Cates, Coburn, Crawford, Drake, Greer, Gregg, Harris, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Johnstone, Killian, Kinsey, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Waggoner, Weeks and Williams.

—60

Nay: Mr. Whately.

—1

#### MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Pegues to suspend the rules in order to bring up out of order the bill, S. 473, was lost, lacking a four-fifths vote.

Yeas 31; Nays 25.

Yeas:

Mr. Speaker, Albright, Campbell, Cross, Dial, Edwards, Gafford, Gregg, Harris, Holley, Hopping, Johnstone, Lockett, Lutz, McNair, McNees, Manley, Merrill, Moore (O), Morris, Pegues, Plaster, Quarles, Robertson, Sasser, Shelton, Smith (B), Teague, Weeks, White and Williams.

—31

Nays:

Messrs.: Armstrong, Drake, Folmar, Higginbotham, Hilliard, Holmes, Howard, Jackson (F), Jackson (R), Kelley, Leonard, Lewis, McMillan, Mitchem, Owens, Reed, Rich, Roberts, Smith (C), Smith (M), Sparks, Tucker, Venable, Warren and Wyatt.

—25

#### S. 1036 TEMPORARILY CARRIED OVER

On motion of Mr. Robertson, the bill, S. 1036, was temporarily carried over.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

And said Bill, H. B. 490, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 400. To implement the new Judicial Article of the Alabama Constitution (Amendment No. 328 approved December 18, 1973); by establishing a unified judicial system for the state; by establishing a new state court of limited jurisdiction to be known as the District Court of Alabama, having uniform jurisdiction, procedures and costs; by authorizing the establishment of municipal courts having uniform jurisdiction, procedures and costs; by providing that the state bear the cost of personnel and operation of the circuit and district courts; by making appropriations for the payment of salaries, pensions and other costs of the unified judicial system, except the courts of probate and municipal courts; by amending various sections of the Alabama Code of 1940 and subsequent statutes as required to make effective the unified judicial system. The contents of this Act are organized as follows:

The judicial authority of the state is vested in a unified system; amending Section 1 of title 13 of the Code of Alabama, 1940, to reflect constitutional provisions.

The jurisdiction of the circuit court and powers of presiding circuit judges are described with amendments to the Code of Alabama reflecting the new court structure; presiding circuit judge has general supervision of judges and other officers; circuit court has jurisdiction of appeals from municipal and district courts.

Repeals sections 157, 158, 159, 179, 180 and 181 of title 13 of the Code of Alabama, 1940; amends sections 115, 123, 172 of the Code of Alabama, 1940.

Provision is made for probate judges' election to come under the judicial retirement act; amount of benefits specified.

The district court established; effective January 16, 1977; civil and criminal jurisdiction; number of judges and places of holding court; election, compensation and retirement of district judges; provision for primary and secondary system of trials; uniform traffic ticket procedure; preliminary hearing jurisdiction; use of magistrates; district attorney responsible for prosecution; provision for a district court within geographic bounds constituting a district, designating places within districts where court must be held; transfer of cases from present county and other courts; jurisdiction of civil cases up to five thousand dollars (\$5,000.00); special docket for small claims up to five hundred dollars (\$500.00); jurisdiction of involuntary commitment cases, if transferred from probate court; jurisdiction of juvenile cases; exclusive criminal jurisdiction in misdemeanor cases except those in municipal courts; authority to receive guilty pleas in all felonies not involving death penalty.

Repeals sections 313, 314, 315-341, 345, 346, 349 and 384-406 of title 13 of the Code of Alabama, 1940; repeals Act No. 764, approved September 17, 1953; and Act No. 535, approved January 1, 1954.

Jurisdiction of juvenile cases placed in district court; civil, criminal and delinquency procedures and rules regarding juveniles established; age of juveniles revised; appointment of referees; probation services; advisory boards; scope of jurisdiction; delinquency, custody, commitment, child abuse, offenses against children, paternity, desertion and non-support; investigations and complaints; court custody, detention and shelter care; transfer to criminal court; right to counsel; disposition of neglected and delinquent children; guardians ad litem; confidentiality of records; adult offenses; and appeals.

Repeals sections 350-383 of title 13 and sections 239, 252 (a8) 252 (a9), 252 (a10), 252 (a11), 252 (a12), 252 (a13), 252 (a14), 252 (a15) and 252 (a16) of title 45 of the Code of Alabama, 1940.

Providing for security and protection of judicial facilities; advisory and standing committees; court facilities; travel expenses of appellate court personnel; publishing and construction of rules; coordination and use of appropriations; voluntary diminution of compensation; use of special judges; provisions for senior associate justices to perform duties of chief justice when chief justice unable to act; supernumerary justices or judges and their dependents' rights and benefits; additional permanent duties for designated district court judges; procedure when bill introduced to increase or decrease number of judges or change boundaries of circuit or district; and local legislation affecting the judiciary.

Provision for phased assumption by the state of employment and compensation of personnel of district and circuit courts, beginning October 1, 1977; protection of local retirement rights of county employees transferred to state; compensation of circuit clerks; employee benefits for transferred personnel; positions of confidential secretaries for judges and clerks and bailiffs for judges; court reporters and referees; office of register abolished when present positions become vacant; compensation of registers; court reporters compensation; and supernumerary clerks and registers.

Establishment of municipal courts with uniform jurisdiction, procedures and costs; procedures for abolition of municipal courts by municipalities, transfer of jurisdiction to district court, and apportionment of fines; procedures for re-establishment of municipal courts; appointment and qualification of municipal judges; bail on personal recognizance, fines, jail, suspended sentence, probation; appeals to circuit court; arrest and search warrants; and use of magistrates.

Repeals sections 582-600 of title 37 of the Code of Alabama, 1940; repeals Act No. 403, approved August 16, 1965; Act No. 665, approved September 6, 1961; and Act No. 1108, approved September 12, 1969.

Provision for the presiding circuit judge to administer the indigent defense system; allows local option regarding type defense services provided; establishes an advisory indigent defense commission in each circuit; authorizes establishment of a public defender system in any circuit, paid by the state; and provides for compensation of appointed counsel by the state.

Repeals a portion of section 2 of Act No. 2421, approved October 1, 1971; and amends section 1 of Act No. 2420, approved October 1, 1971.

Probation services conformed to unified court system; provides maximum probation period of five years for felonies and two years for misdemeanors, and for termination of probation.

Amends sections 19, 23 and 24 of title 42 of the Code of Alabama, 1940.

Defines the duties and authority of administrative director of courts as assistant to chief justice as administrative head of judicial system; provides for personnel policies; provides for the attendance by judges and personnel of judicial system at educational conferences and meetings; provides for study and supervision of programs relating to the administration of justice, and coordination and use of judicial funds from appropriations and grants by the director.



Provides for authority to administer oaths and require testimony and production of records by judicial compensation commission established by the Constitution; and provides for payment of expenses of the commission.

Provides per diem compensation for members of judicial inquiry commission who are not judges in amount of one-half of one percent of annual salary paid by the state to circuit judges.

Provides for expenses of the court of the judiciary and reporter.

Provides for representation of district, municipal and probate judges on judicial conference; amending Act No. 118, approved January 12, 1972.

Provides for assumption by the state of expenses of district and circuit courts, phased over three fiscal years; provides that counties continue to be responsible for construction, maintenance and operation of courtrooms and facilities, and for transfer of title to equipment and furniture to the state; establishes uniform fees and court costs in circuit and district courts; provides for distribution of fees, costs, and fines between state and municipality.

Repeals section 1, 10, 11, 13, 18-26, 34, 38, 40-43, 55, 59-63, 65, 67, 72-76, 81-83, 85, 86, 89-91, 96, 97, 100-102 and 112 of title 11 of the Code of Alabama, 1940; repeals Act No. 742, approved September 23, 1957; Act No. 58, approved June 1, 1945; section 1 of Act No. 741, approved September 23, 1957; sections 1 and 2 of Act No. 570, approved September 16, 1963; Act No. 311, approved July 28, 1949; section 1 of Act No. 575, approved July 7, 1943; Act No. 573, approved July 7, 1943; Act No. 413, approved July 7, 1945; Act No. 483, approved July 7, 1945; and Act No. 177, approved July 21, 1947; amends sections 2-4, 6, 7, 35-37, 39, 56, 57, 64, 92-95, 98, 104-108, 110 and 113 of title 11 of the Code of Alabama, 1940; and amends section 2 of Act No. 625, approved September 4, 1951; and a portion of section 2 of Act No. 2421, approved October 1, 1971.

Provides for state appropriations for Act.

Provides for severability of provisions of Act in proper case; repealer of existing laws inconsistent with Act; and establishes effective date of Act where individual articles or sections do not establish such, and of individual articles or sections.

McDOWELL LEE,  
Secretary.

#### SPECIAL ORDER CALENDAR

And the bill:

S. 354. (With Substitute): To amend Act No. 224, S. 68 of the Regular Session of 1965 (Acts 1965, p. 315) entitled "An Act To require that those buildings and facilities constructed in the state by the use of state, county or municipal funds shall adhere to the principles prescribed by this act, so as to make these buildings and facilities accessible to, and usable by, the physically handicapped," so as to authorize and provide for the adoption and enforcement by the authorities charged with the enforcement of said act, as rules and regulations having the force and effect of law, of additional standards prescribed by the American National Standards Institute for making buildings and facilities accessible to and functional for the physically handicapped; and for such purposes amending Sections 1 and 10 of said act.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on State Administration, said committee substitute being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Act No. 224, S. 68 of the Regular Session of 1965 (Acts of 1965, p. 315), entitled "An Act To require that those buildings and facilities constructed in the state by the use of state, county or municipal funds shall adhere to the principles prescribed by this Act, so as to make these buildings and facilities accessible to and usable by the physically handicapped," so as to eliminate the detailed specifications and standards from the law, and to authorize the state fire marshal to prescribe and adopt standards and specifications for the buildings, premises and facilities to which this Act applies, which will make such buildings, premises, and facilities accessible to and functional for the physically handicapped; to authorize and provide for the granting of waivers of particular standards or specifications under certain circumstances and for such purposes amending Sections 1 and 10 of said Act and repealing Sections 4 through 9, inclusive, of such Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1 and 10 of Act No. 224, S. 68 of the Regular Session of 1965 (Acts 1965, p. 315), entitled "An Act To require that those buildings and facilities constructed in the state by the use of state, county or municipal funds shall adhere to the principles prescribed by this Act, so as to make these buildings and facilities accessible to, and usable by, the physically handicapped," are hereby amended to read as follows:

"Section 1. (a) The standards and specifications prescribed by the fire marshal as authorized in this Act shall apply to all buildings and facilities used by the public which are constructed in whole or in part by the use of state, county or municipal funds, or the funds of any political subdivision of the state. All such buildings and facilities constructed in this state after the effective date of this act from any one of these funds or any combination thereof shall conform to each of the standards and specifications prescribed herein, and also any standards and specifications prescribed as supplementary thereto as authorized in Section 10.

"These standards and specifications shall be adhered to in those buildings and facilities under construction on the effective date of this act, unless a written waiver thereof is issued pursuant to subsection (c) of this section. If the authority responsible for the construction determines that the construction has reached a state where compliance is impractical, and applies to the fire marshal or the director of the building commission for a waiver, such officer or officers shall issue the requested waiver.

"(b) The State Fire Marshal shall prescribe and publish standards and specifications for the buildings, premises and facilities to which this act applies, which will make such buildings accessible to and functional for the physically disabled who are confined to wheel chairs and to those ambulating on braces or crutches, or both, or on canes, to the blind, and to the deaf. Such standards and specifications may be based on the American National Standards Institution specifications, and as heretofore or hereafter amended. Such standards and specifications shall apply to building features such as the width of halls and doorways, and

the construction of stairs, the installation of ramps, the installation of other equipment and accessories to aid the handicapped, the location and installation of equipment and accessories for the buildings such as public telephones, fire alarms, toilet rooms, lights, heat and ventilation controls or switches, elevator signals and similar items of frequent or essential use. They shall require both visual and audible warning devices to warn the deaf and blind as well as the public generally of possible hazards. They shall also apply to the grading of the lots on which any building to which this act applies are located and to walks and parking areas accessible to such buildings.

"(c) The State Fire Marshal and the Director of the State Building Commission are, each, hereby authorized to construe and interpret the standards and specifications prescribed as authorized hereinabove; and each of such officers is hereby authorized, with the concurrence of the other, to grant a waiver of a particular standard or specification upon proper application therefor, when in their joint opinion following the specification or standard would be unreasonably costly and impractical or that an alternative facility is already reasonably available.

"Section 10. The responsibility for reviewing architectural plans and specifications for buildings to which this act applies shall be as follows:

"(a) Where state school funds are utilized—the State Board of Education and the State Building Commission;

"(b) Where other state funds are utilized—the State Building Commission;

"(c) Where funds of counties, municipalities or other political subdivisions are utilized—the governing bodies thereof and the State Building Commission.

"Each such reviewing authority is hereby authorized to adopt and enforce rules and regulations prescribing additional standards based on standards prescribed by the American National Standards Institute for making buildings and facilities accessible to and functional for the physically handicapped.

"(d) The State Fire Marshal is charged with the duty of enforcing standards and specifications prescribed as authorized in Section 1 (b) of this act. For such purpose he shall have the same power and authority to inspect buildings, facilities and premises to which this act applies, that he has relative to buildings which might constitute fire hazards. If he finds that any building to which this act applies does not comply with the applicable standards and specifications duly prescribed and published pursuant to said Section 1 (b) he shall immediately order the same to be conformed to such standards and specifications. Such order may be appealed and enforced in the same manner prescribed for appealing and enforcing the fire marshal's orders relative to the elimination of fire hazards."

Section 2. Sections 4 through 9, inclusive, of said Act No. 224, S. 68 of the Regular Session of 1965 (Acts 1965, p. 315) are hereby specifically repealed.

Section 3. This act shall become effective January 1, 1976, after its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Albright, Barron, Biddle, Boles, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Folmar, Glass, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hines, Holley, Hopping, Howard, Jackson (R), Johnstone, Kelley, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McMillan, McNair, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sparks, Starkey, Trammell, Tucker, Venable, Waggoner, Warren, Williams and Wyatt.

—69

And the bill, S. 354 as thus amended, was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Albright, Barron, Biddle, Boles, Campbell, Carothers, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Folmar, Glass, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hines, Hopping, Howard, Johnstone, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McMillan, McNair, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Owens, Pegues, Plaster, Reed, Riddick, Roberts, Sasser, Shelton, Smith (B), Smith (C), Starkey, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—65

And the bill:

S. 308. To designate the Largemouth Bass as the official fresh water fish of Alabama.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Folmar, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hilliard, Hines, Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McMillan, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Teague, Trammell, Tucker, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—74

And the bill:

S. 102. To amend Section 1 of Act No. 1515, H. 37, 1971 Regular Session [Acts of 1971, p. 2629; now appearing in Code of Alabama, Recompiled 1958, Title 8, Section 30 (1)], entitled "To provide for the cost of and establish the procedure for obtaining an annual resident state hunting license"; so as to provide for the issuance of a permanent lifetime hunting license for all residents over 65 years of age at no cost and

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upon the payment of nominal issuance fee; repealing Act No. 546, S. 437, 1965 Regular Session [Acts of 1965, p. 796; now appearing in Code of Alabama, Recompiled 1958, Title 8, Section 31 (1)].

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Brindley, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Folmar, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Hopping, Howard, Jackson (F), Johnstone, Kelley, Kennedy, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Shelton, Smith (C), Smith (J), Smith (M), Sparks, Starkey, Teague, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—75

RECESS

On motion of Mr. Malone, the House recessed for one hour.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

SPECIAL ORDER RESUMED

And the bill:

S. 306. To amend Section 5 of Act No. 266, Acts of Alabama, 1961 Special Session, p. 2282, so as to provide what shall constitute prima facie evidence of spear fishing.

Was read a third time at length and passed.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Barron, Biddle, Boles, Campbell, Carter, Cooper, Crawford, Edwards, Falkenburg, Ford, Gafford, Gregg, Hall, Harris, Higginbotham, Hilliard, Hopping, Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Killian, Kinsey, Lewis, Lockett, Lutz, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Pegues, Plaster, Rich, Riddick, Roberts, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sparks, Starkey, Taylor, Venable, Warren, White, Williams and Wyatt.

—55

And the bill:

S. 315. To amend Sections 3, 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an Act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that all of Lake Guntersville State Park be operated by the State the first

three years; and to authorize negotiation of concession contracts under certain conditions; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

Was read a third time at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Barron, Biddle, Boles, Campbell, Carter, Cooper, Crawford, Edwards, Falkenburg, Ford, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hilliard, Hopping, Howard, Jackson (F), Jolly, Kelley, Killian, Kinsey, Lewis, Lockett, Lutz, McCluskey, McMillan, McNeas, Martin, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Rich, Roberts, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sparks, Starkey, Taylor, Trammell, Venable, Warren, Whatley, White, Williams and Wyatt.

—59

And the bill:

S. 322. To provide a uniform issuance fee for all licenses sold by the Game and Fish Division of the Department of Conservation and Natural Resources; to make it unlawful to charge more than the fee authorized herein; and to provide a penalty.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Campbell, Cooper, Crawford, Falkenburg, Ford, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hilliard, Hines, Holley, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNeas, Martin, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Reed, Rich, Roberts, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Venable, Weeks, Whatley, White, Williams and Wyatt.

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#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 1097. To amend Sections 6, 15, 16, 17 and 18 of Act No. 183 enacted at the 1975 Third Special Session of the Legislature of Alabama so as to make different provision for the first term of office of any directors of any hospital authority organized under said Act who are elected by the Central Labor Council; so as to delete the reference in said Act to the University of Alabama; so as to prohibit any employee of any such hospital authority or any hospital or other institution operated by it and any employee of certain other hospital or health care institutions from being a director of any such hospital authority; so as to provide, with respect to governmental immunity, that such hospital authorities may be sued in civil actions ex delicto to the same extent as county hospital boards organized under Act No. 46 (1949 Regular Session), as amended; so as to revise the provisions of said Act relating to the applicability of the rules and regulations of the State Ethics Commission and to provide that the

provisions of Act No. 130 (1975 Regular Session) shall apply to the members of the Board of Directors of any such hospital authority to the same extent as to the boards or other similar governing bodies of similar local agencies whose members are elected or appointed by county or municipal governing bodies rather than by the electorate; so as to delete the requirement that all purchases, sales and contracts of such hospital authorities be administered in full compliance with Chapters 22 to 24, inclusive of Title 55 of the Code of Alabama of 1940, and to provide, in lieu thereof, that the provisions of Act No. 217 (1967 Regular Session), as amended, shall apply to such hospital authorities to the same extent as to other local governmental agencies specifically mentioned therein and that the provisions of Act No. 314 (1969 Regular Session) relating to insurance on public building contracts or public construction contracts shall be applicable to all such hospital authorities; and so as to revise the provisions of said Act requiring the publication of annual financial statements.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Bank, Shelby and Gilmore.

McDOWELL LEE,  
Secretary.

#### S. 1097 AGAIN TAKEN UP

The bill, S. 1097 with House amendment, having been temporarily carried over, was again taken up.

#### SENATE MESSAGE

On motion of Mr. Johnson, the House non-concurred in the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 1097.

Yeas 58; Nays 1.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Boles, Campbell, Cooper, Crawford, Cross, Falkenburg, Greer, Gregg, Hall, Harris, Hines, Holley, Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNeas, Merrill, Moore (O), Moore (W), Owens, Pegues, Plaster, Reed, Rich, Riddick, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Warren, White and Williams.

—58

Nay: Mr. Mitchem.

—1

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Manley, the rules were suspended in order to receive the amended bill, H. 489, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 489. To make annual appropriations for the support, maintenance, and development of public education in Alabama for the fiscal year ending September 30, 1976.

McDOWELL LEE,  
Secretary.

### SENATE MESSAGE

On motion of Mr. Manley, the House non-concurred in the Senate amendment to the bill, H. 489, said Senate amendment being as follows:

Amend House Bill No. 489, as amended, on page 25 by adding the following to Section 47: "No funds may be expended from this appropriation on education programs at Athens College until the Alabama Commission on Higher Education or the Alabama Legislature has approved such programs and find that such programs will not unduly duplicate similar programs at the University of Alabama in Huntsville, Alabama A & M, or the University of North Alabama.

Further amend House Bill No. 489, as amended, page 24, line 40, by striking out Section 40.

Further amend House Bill No. 489, as amended, page 24, line 39, by striking out Section 39.

Further amend House Bill No. 489, as amended, page 15, line 3, by striking out Jones Law School, Montgomery, \$125,000.00.

Further amend House Bill No. 489, as amended, page 26, by striking out Section 54 and renumbering accordingly: Section 54: Attalla City Board of Education—For Capital Outlay—\$200,000.00.

Further amend House Bill No. 489, as amended, page 13, line 28, by inserting in Section 3, Subsection BB, after the word "1974-75," the following: All non-professional personnel shall receive an increase in salary of not less than twelve and seven-hundredths per centum (12.07%).

Further amend House Bill No. 489, as amended, page 5, line 30, by inserting in Section 3, Subsection P, after the word "1974-75", the following: All non-professional personnel shall receive an increase in salary of not less than twelve and seven-hundredths per centum (12.07%).

Further amend House Bill No. 489, as amended, page 25, line 32 by inserting Section 51 and renumbering accordingly: Section 51. Etowah County Board of Education: For the construction of an elementary, middle, or high school in the Rainbow City-Southside District—\$400,000.

Further amend House Bill No. 489, as amended, page 26, line 1, by inserting Section 52 and renumbering accordingly. Section 52; Cherokee County Board of Education—For construction of a new elementary school—\$250,000.

Further amend House Bill No. 489, as amended, page 26, line 1, by inserting Section 53 and renumbering accordingly. Section 53: Gadsden City Board of Education. For capital outlay—\$300,000.00

Further amend House Bill No. 489, as amended, Section 3, Subsection (K), by striking the Subsection A in its entirety and inserting in lieu thereof the following:

#### K. Department of Education:

For salary of the State Superintendent (Estimated)	40,000.00
For other salaries .....	1,256,922.00



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For other expenses .....	190,000.00
For rental expenses .....	475,000.00
For equipment purchases .....	20,000.00
For transfer to State Personnel Dept. ....	30,800.00
Total .....	2,012,792.00

Further amend H. B. 489, as amended, on page 5, Section 3, Subsection P, by inserting the following after line number 33: "No funds appropriated in this Subsection shall be expended for new campuses, branches, or centers or for new degree or certification programs without such new campuses, branches or centers or new degree or certification programs first being approved by the Alabama Commission on Higher Education or the Alabama Legislature. This requirement shall not affect the appropriation in this Act for George C. Wallace Technical Community College."

Further amend H. B. 489, as amended, by adding a new Subsection under Section 3, on page 15: "For the administration of the 1202 State Planning Commission organized pursuant to Title XII of the Federal Higher Education Act of 1972 (PL 92-318) and Governor's Executive Order No. 50 dated April 1, 1974. It is here specified that no other funds appropriated under this act shall be expended, directly, or indirectly, for the Commission and that no federal funds received by the State of Alabama, except those specifically designated for the Commission, shall be used in the Commissions activities." .....\$1,000.00

Further amend House Bill 489, on pages 19, 20, Section 11, by deleting Section thereof and adding in lieu thereof the following:

<b>SECTION</b>	<b>BOARD OF TRUSTEES OF TROY</b>	
	<b>STATE UNIVERSITY:</b>	
(a)	For operation and maintenance .....	5,459,000.00
(b)	For operation and maintenance of Troy State University at Montgomery .....	165,000.00
(c)	For operation and maintenance of Troy State University at Fort Rucker-Dothan .....	165,000.00
(d)	For School of Nursing—Scholarships .....	36,000.00
	(To be expended in accordance with Act No. 2292, 1971 Regular Session.)	
(e)	Public Service Research and Extension .....	200,000.00

Further amend House Bill Number 489, as amended, on page 23 following line 39 by inserting the following:

It is provided that beginning with the fiscal year 1975-76 that in addition to the salary now received, and all other salary increments due, all teachers employed by the Youth Services Board other than vocational teachers shall receive a salary increase as follows: AA teachers not less than sixteen hundred forty-three dollars (\$1643) per annum; Rank I teachers not less than one thousand five hundred forty-seven dollars (\$1,547) per annum; Rank II teachers not less than one thousand three hundred thirty-three dollars (\$1,333) per annum; Rank III teachers not less than one thousand three hundred thirty-three dollars (\$1,333) per annum; Rank IV teachers not less than one thousand three hundred thirty-three dollars (\$1,333) per annum. Vocational teachers shall receive a salary increase of not less than twelve and seven one-hundredths per centum (12.07%) of the state vocational teacher salary schedule in addition to all other salary increments due. The above amounts are for educators under twelve-month contracts. If an educator's contract is for less than twelve months, he shall receive the prorata amount for the months em-

played. If the Youth Services Board fails to comply herewith it shall not be entitled to receive any funds from the Alabama Special Educational Trust Fund.

Further amend House Bill 489, as amended, by striking therefrom in Section 6 thereof the words and figures "For operation and maintenance . . . 7,262,000.00" and inserting in lieu thereof the words and figures "For operation and maintenance . . . 7,662,000.00".

Also amend H. B. 489, as amended, by deleting Section 3 K (d) in its entirety, where it appears on lines 9 & 10 on page 4 of said bill and inserting in lieu thereof the following:

"(d) Public Kindergarten Pilot Program .....\$400,000.00"

Further amend House Bill No. 489, as amended, by deleting therefrom Section 12, Page 20 as follows:

And inserting in lieu thereof the following:

**Section 12. BOARD OF TRUSTEES OF ALABAMA INSTITUTE  
FOR DEAF AND BLIND:**

- |   |              |
|---|--------------|
| (a) For operation and maintenance .....   | 2,937,325.00 |
| (b) For salaries and expenses incident to<br>instruction of Adult Blind and Deaf and<br>for operation of the Trade School<br>at the Institute ..... | 1,255,139.69 |
| (c) Department of Adult Blind and Deaf<br>Vocational Education .....  | 60,000.00    |

Further amend H. B. 489, as amended, as follows:

In Section 3, on page 15, insert after line 11, at the end of the section and as a part of said Section, the following subsection, designated FF or such other appropriate designation, as to keep it in its proper place:

**FF. State Department of Education:**

For the purchase of a  
verbo-tonal machine .....7,500.00

Further amend House Bill 489, as amended, by adding immediately following Section 48, line 23, on page 25 of the bill the following:

Lowndes County Board of Education  
For Replacing the Burned School  
at Hayneville, Alabama .....\$300,000.00

and re-number the remaining sections.

Further amend House Bill 4189, as amended, by adding immediately following Section 49, line 24, on page 25 of the bill the following:

For Alexander City State Junior College:  
For the operation of a Penal  
Education Program .....\$125,000.00

and renumber the remaining section.

Immediately before the severability section, which in this substitute, as introduced, was numbered "Section 52, but which because of amendments heretofore adopted has been renumbered several times, insert the following new section, giving it the proper section number to make it the third from the last section in the bill, and renumber the two sections following this section:

Section . . . Whenever the amount hereinabove appropriated to any institution of higher learning includes funds to be used for anticipated salary raises or adjustments for professional personnel for the whole fiscal year for which appropriations are hereby made, such salary raise or adjustment shall be deemed to become effective on the first day of the fiscal year and beginning from such date shall be payable out of funds herein appropriated.

Further amend House Bill 489, as amended, as follows:

On Page 9, line 31 after the sentence ending with the word "fund" insert the following:

"It is the intent of the Legislature that these appropriations from the Minimum Program Fund for the fiscal year ending September 30, 1976, shall be allocated by the respective local boards of education for teachers in the respective local systems which local boards shall determine to be deserving, based upon the following considerations: Rank and certificate held by each such teacher; additional education in addition to the degree held; in-service training; and other criteria as may be established by the local board."

Further amend House Bill 489, as amended, on page 22, deleting Section 22 in its entirety and inserting in lieu thereof the following:

"Section 22. Alabama Public Library Service: for salaries, books, and other expenses . . . \$278,000

State aid for all public libraries and library systems . . . \$650,000"

Further amend House Bill 489, as amended, as follows:

On page 9, line 14, after the word "graduation" change the period to a comma and insert the following:

"except driver education and physical education."

Add a new Section 51 as follows immediately after Section 50, and renumber the remaining sections of the bill accordingly

Section 51. Huntsville Public Library:

For construction of a sub-carrier broadcast  
service to print-handicapped persons ..... \$25,000.00

Amend H. B. 489, as amended, on page 5, line 33, Section 3, P. Junior College Equalization account by adding the following:

"Of the amount appropriated above the sum of two hundred sixteen dollars (\$216.00) per annum per teacher and administrator is allotted to provide hospital-medical insurance."

Further amend the bill on page 13, line 33, Section 3 BB, State Vocational Technical School Equalization Account by adding the same wording as above.

Further amend House Bill No. 489, as amended, page 68, line 33, by striking out \$110,000.00 and inserting in lieu thereof \$200,000.00.

Further amend House Bill No. 489, as amended, page 25, line 24, by inserting a new Section 48A as follows:

Section 48A. DeKalb County Board of Education for gymnasium at Adamsburg School, \$75,000, and for new classroom building at Kilpatrick School, \$290,000, for a total appropriation of \$365,000.

Further amend House Bill No. 489, as amended, page 12, line 18, by inserting at the end of Paragraph X the following line, as follows:

For capital outlay . . . \$1,000.00.

Further amend House Bill No. 489, as amended, page 2, line 19, by inserting a new line at the end of Paragraph B, as follows:

For improving the campus grounds and for capital outlay . . . \$1,000.00.

Further amend House Bill 489, as amended, Section 3, Subsection b on page 8, line 12, by adding the following after the period:

All special education units other than the early childhood and multi-system units shall be allocated to local school systems on the basis of net enrollment. Units earned by a system on this basis which are not used by such system are to be reallocated to other systems, first as they are necessary to guarantee school systems not less than the number of units allocated to them during the 1974-75 school year, and secondly on the basis of net enrollment.

Further amend H. B. 489, as amended, by adding the following section:

"Section . . . Notwithstanding the other provisions of this bill, 3 million dollars is hereby appropriated for the operation of Alabama State University and Alabama A. & M. University for the fiscal year 1975-76.

"The said 3 million dollars shall be divided equally between these two institutions. This section shall supersede any other provisions of this bill authorizing expenditures for these institutions."

Further amend H. B. 489, as amended, by adding the following striking out Section 47 in its entirety.

Amendment to Senate Substitute for H. B. 489 as substituted:

On page 11 strike Item S in its entirety and insert in lieu thereof the following:

R. Minimum Program Account:

Trainable Retarded Children

For salaries ..... 135,000.00

For other expenses ..... 191,812.00

For other equipment purchase ..... 100,000.00

For Special Education ..... 160,000.00

For Diagnostic and Evaluation ..... 500,000.00

Services

For teacher Aides for

Exceptional Children ..... 420,000.00

Total ..... 1,506,812.00

The appropriation hereinabove made for salaries and other expenses shall be expended by the State Board of Education for the cost incurred by the State Department of Education in the administration of this program. The appropriation for Special Education is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.

Amendment to the Senate Substitute for H. B. 489, as Substituted:

On page 8, lines 6-12, strike subsection (b) in its entirety and insert in lieu thereof the following:

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(b) It is provided that from the appropriation hereinabove made the State Board of Education shall allocate and pay from said appropriation not less than four hundred (500) additional teacher units for the program for exceptional children over and above the current allocation. It is also provided that fifty-five (55) teacher units be transferred from Act 67, approved June 27, 1963. Twenty-five (25) of the teacher units appropriated may be used in early education programs for exceptional children and twenty-five (25) teacher units may be used in regional multi-system, and/or state-wide programs for exceptional children.

Further amend said bill by deleting on page 8, line 15, the following figure "700" and inserting in lieu thereof "500".

1. Amend the Substitute to H. B. 489, as substituted, on page 15, Section 4(A) by adding line item (12) to read as follows:

"(12) Mineral Resources Institute—  
State Mine Experimentation Station ..... \$300,000.00"

2. Further amend the Substitute to H. B. 489, as substituted, on page 15, by deleting Section 4(A) (3) and substituting in lieu thereof the following:

"Section 4 (A) (3). For emotionally  
Disturbed Children ..... \$357,000.00"

3. Further amend the Substitute for H. B. 489, as substituted, on page 17, Section 5(A) by adding line item (8) to read as follows:

"(8) For Water Resources Research Institute ..... \$382,000.00"

Amend House Bill No. 489, as substituted, page 24, by adding after Section 40, Section 40-A. Chilton County Board of Education \$450,000.00"

**AMENDMENT TO THE SUBSTITUTE FOR HOUSE BILL 489**

Amend the bill by adding the following item in sub-section A of Section 4 of the bill, Page 15.

Community Nursing Program ..... \$200,000.00

Amend Substitute for H. B. 489, as substituted, as follows:

On page 19, Section 7, line 6, after the category "for operation and maintenance", strike the figures 2,375,000, and insert in lieu thereof the sum

2,525,000

Amend Senate Substitute for H. B. 489, as substituted, on Page 2, Line 18 by striking out the figure "\$5,194,000.00" after the word "University" and inserting in lieu thereof the figure \$6,194,000.00."

Amendment to Substitute for H. B. 489:

Amend Section 3, subsection "AA", page 12, by inserting after sub-paragraph (a) the following sub-paragraph, (b) Emergency Medical Technician Training ..... \$95,000.

also strike the figure 29,908,913.00 on line 20 and insert in lieu thereof \$30,003,913.00.

Amend the Substitute for H. B. 489, as amended, by inserting the following immediately after Section 40, where it appears on page 24 of said bill, and renumbering the following sections accordingly:

**"Section 41. ELMORE COUNTY BOARD OF EDUCATION**

For capital outlay purposes ..... 300,000.00"

Amend House Bill No. 489, as substituted, page 6, line 30, by inserting after the word . . . "College.", the following:

Of the amount appropriated to the Junior College Equalization Account, the sum of \$575,000.00 shall be distributed to the Wallace Community College at Hanceville, Alabama.

**A BILL  
TO BE ENTITLED  
AN ACT**

To make appropriations for the support, maintenance, and development of public education in Alabama for the fiscal year ending September 30, 1976.

Be It Enacted by the Legislature of Alabama:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions, including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rental and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of the fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 2. The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1976, and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama, 1940) and shall be in the amounts specified in said sections.

**Section 3. STATE BOARD OF EDUCATION:****A. For Adult Basic Education:**

To be used to match Federal Funds for a removal  
of illiteracy program ..... \$ 300,000.00

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<b>B. Agricultural and Mechanical University:</b>		
For the operation and maintenance of the University .....		5,194,000.00
<b>C. Civil Defense Survival Plan:</b>		
For salaries and other expenses only, in the operation of the Civil Defense Plan .....		17,000.00
<b>D. Civilian Rehabilitation:</b>		
For the vocational rehabilitation of handicapped individuals .....	\$ 4,860,000.00	
For the Governor's Committee on Employment of Handicapped .....	40,000.00	
For rehabilitation and continuing care of spinal cord injured and other severely physically handicapped individuals .....	500,000.00	
For Medical Services, adjustment training and attendant care for paraplegics and quadraplegics .....	600,000.00	
Total .....		6,000,000.00
<b>E. For Compact for Education .....</b>		15,750.00
(To be expended in accordance with Act No. 1143, 1969 Regular Session.)		
<b>F. Coordination of In-School Television Program:</b>		
For salaries .....	80,000.00	
For other expenses .....	19,000.00	
For equipment purchases .....	1,000.00	
Total .....		100,000.00
<b>G. For Driver Education, School Bus Driver Training and Vehicle Safety Inspection:</b>		
For salaries .....	218,000.00	
For other expenses .....	80,000.00	
For equipment purchases .....	4,000.00	
Total .....		302,000.00
<b>H. For Driver Education .....</b>		4,415,000.00
<b>I. Drug Education Program:</b>		
For the necessary education on drug abuse:		
For other salaries and other expenses .....	122,125.00	
For equipment purchases .....	1,500.00	
Total .....		123,625.00
<b>J. For legal reference manual for all local school boards .....</b>		50,000.00
<b>K. DEPARTMENT OF EDUCATION:</b>		
(a) For the Department of Education:		
For salary of State Superintendent .....	27,208.00	
For other salaries .....	1,036,992.00	

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For other expenses .....	160,000.00	
For rental expenses .....	475,000.00	
For equipment purchases .....	20,000.00	
For transfer to State Personnel Department .....	30,800.00	
Total .....		1,750,000.00
(b) For the "Right to Read Pro- gram" .....		50,000.00
(c) Teachers Training and Certifi- cation:		
For salaries .....	140,000.00	
For other expenses .....	58,000.00	
For equipment purchases .....	2,000.00	
Total .....		200,000.00
(d) Public Kindergarten Program:		
For administration .....		10,000.00
(e) There is hereby appropriated to the State Department of Education for the exclusive purpose of purchasing from Capitol Devel- opment Company, Ltd. certain real prop- erty the legal description of which is set out in recorded mortgage deed at Real Property Vol. 193 at pages 813 through 825 in Montgomery County. Said property con- tains 68,000 square feet more or less in the City of Montgomery in a city block bounded by the streets of Washington Avenue, De- catur Street, Hull Street and Adams Ave- nue the sum of \$1,611,000.00.		
There is hereby appropriated to the State Department of Education for the exclusive purpose of purchasing and exercising an option held by Capitol Development Com- pany, Ltd. to purchase from the Scottish Rite Association of Alabama certain real property adjacent and contiguous to the above described property of Capitol Devel- opment Company, Ltd., the sum of \$475,250.00.		
The State Department of Education shall purchase the property for which appropria- tions are herein provided no later than thirty (30) days after the effective date of this act. The Legislature hereby mandates the expenditure of the sums appropriated herein for the above stated purposes, not- withstanding Title 52, Section 102 of the Code of Alabama 1940 (recompiled 1958).		
L. Elementary Teachers Scholarship Fund .....		25,000.00
M. Free Textbooks:		
For salaries .....	63,332.00	
For other expenses .....	40,000.00	
For disbursements to local boards .....	62,250.00	
For equipment purchases .....	1,000.00	
For repair of used and the pur- chase of new textbooks .....	6,318,418.00	



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For operation of Course Study Commission .....	15,000.00	
Total .....		6,500,000.00
N. Alabama School of Fine Arts:		
For operation and maintenance .....		300,000.00
O. Department of Education In-Service Training:		
For salaries .....	200,000.00	
For other expenses .....	50,000.00	
For disbursement to local boards of education allocated on an earned teacher-unit basis when a plan for in-service education submitted by the local system is approved by the State Department of Education .....	749,000.00	
For equipment purchases .....	1,000.00	
Total .....		1,000,000.00
P. Junior College Equalization Account:		
For operation and maintenance of the Junior Colleges listed below, to be distributed on a formula adopted by the State Board of Education .....		28,500,000.00

Of the amount above beginning with the fiscal year 1975-76 in addition to the salary received and all salary schedule increments due, all professional staff employed shall receive an increase of not less than twelve and seven-hundredths per centum (12.07%) of the state junior college salary schedule for the school year 1974-75.

Of the above appropriations contained herein Section 3, paragraph P not more than the sum of \$200,000.00 may be used by the State Board of Education for administration of the state junior college program.

**Junior College Equalization Account:**

For operation and maintenance of the Junior Colleges listed below, to be distributed on a formula adopted by the State Board of Education .....	1,000,000.00
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The above appropriation in the amount of 1,000,000.00 shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.

(The above appropriations in Section 3.P. are to be distributed the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City) (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College.

Of the above amount appropriated to S. D. Bishop State Junior College, \$35,000.00 shall be expended for the operation of the School of Mortuary Science.

Q. For matching federal funds available under the provisions of the Comprehensive Employment and Training Act of 1973 ..... 400,000.00

R. Minimum Program Fund:

(a) In addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State Board of Education for the fiscal year ending September 30, 1976, the sum of \$358, 870, 776 to be known as the Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided, that so much thereof as may be necessary of the above appropriations shall be used by the State Board of Education to provide for additional teacher units for each school system in the State which on the basis of current school attendance shall be entitled to additional teacher units over the number allowed based on the year immediately preceding said current year; provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax Amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds, either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(b) It is provided that from the appropriation hereinabove made the State Board of Education shall allocate and pay from said appropriation not less than three hundred fifty-five (355) additional teacher units for the program for exceptional children over and above the current allocation. Twenty-five (25) of the teacher units appropriated may be used in early education programs for exceptional children and twenty-five (25) teacher units may be used in regional multi-system, and/or state-wide programs for exceptional children.

(c) In addition to teacher units allocated above, it is further provided that 700 additional regular teacher units shall be made available for allocation in grades 1-3 of the county and city school systems for the fiscal year ending September 30, 1976. It is the intent of the legislature that priority be given to reduction of class size in grades 1-3, therefore the Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the legislature is implemented. Any teacher units allocated under the provisions of this section shall be used in grades 1-3 unless the pupil-teacher ratio of 25-1 has already been achieved. In such event, the units may be used in grades 4-6.

(d) All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades

1-3 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1974-75 school year. Unallocated units shall remain earmarked for the systems designated for use during subsequent fiscal years.

(e) Of the amount appropriated above in sub-section (a) two hundred and fifty dollars (\$250) per teacher unit for grades 1-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is herein appropriated to the State Board of Education for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. Each local county and city board of education shall allocate to the schools in their respective systems an amount as set forth hereinabove for each teacher unit in such school provided from funds from the State. The faculty and principal of each school shall determine the amount to be allocated for the operation of the instructional program to each teacher within the school and shall submit a schedule of allotment for each teacher to the local board of education. The local school board shall issue purchase orders and pay invoices and shall handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In non-required courses local school boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided, however, such fees shall be waived for students who cannot afford to pay the fees. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. There is hereby appropriated in addition to that above the sum of \$10,029,700.

(f) It is provided that beginning with the fiscal year 1975-76 that in addition to the salary now received, and all other local increments due, all teachers under the Minimum Program shall receive a salary increase as follows: AA teachers not less than twelve hundred thirty-two dollars (\$1232) per annum; Rank I teachers not less than one thousand one hundred sixty dollars (\$1,160) per annum; Rank II teachers not less than one thousand dollars (\$1,000) per annum; Rank III teachers not less than one thousand dollars (\$1,000) per annum; Rank IV teachers not less than one thousand dollars (\$1,000) per annum. Any county or city board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund. All school bus drivers shall receive a salary increase of not less than twelve per centum (12%) per annum, and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

(g) It is provided that in addition to all units earned by the local school system under the Minimum Program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation including regular and special education units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce during the school year the number of teachers it employed with the local funds during the school year 1974-75 except in instances where all schools within the system are accredited or have met every

requirement of accreditation with respect to teacher/pupil ratios. The local school system shall furnish the State Department of Education such information as may be necessary to determine that the provisions of this section have been implemented.

(h) In addition to the appropriation hereinabove made to the Minimum Program, there is hereby appropriated funds for two (2) days personal leave at \$17.00 per teacher unit for each teacher earned under the Minimum Program formula to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1976, the sum of \$1,039,482.00.

(i) In addition to the appropriation hereinabove made to the Minimum Program (Sub-section R) and Vocational Education (Sub-section AA) and Driver Education (Sub-section H) in grades 1-12, there is hereby appropriated the sum of Two Hundred Sixteen Dollars (\$216.00) per annum per teacher, administrative or supervisory unit as located under the Minimum Program and the Vocational Education Program and Driver Education Program (and other units funded from state and local funds) to provide hospital-medical insurance assistance. These funds shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund. There is hereby appropriated the sum of \$6,603,768.00 for the fiscal year ending September 30, 1976, for the purpose of carrying out the provisions of this sub-section.

(j) In either the 7th, 8th or 9th grade in every school system in this State, there shall be taught for one school year a course in Alabama Government, which course shall include City, County, and State Governmental organization, duties and functions at City, County and State Governmental levels.

(k) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$1,543.43 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For capital outlay the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of \$17.00 per day.

The salary allotment shall be made in accordance with the schedule set out herein above.

For transportation the allotment shall be made in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$22,866.490.

The appropriation herein above set out for the fiscal year 1975-76 in the amount of \$366,514,026.00 is based on 30,573 teacher units.

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It is provided that in the event there are more than 30,573 earned teacher units and special education units in the fiscal year 1975-76, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided that in the event that there be less earned teacher units than those set out above than the amount that would have been necessary to pay for these earned teacher units shall not be allotted or paid out.

S. Administration of Program for  
Exceptional Children and Youth:

For salaries and other expenses	\$	326,812.00
For equipment purchases		100,000.00

Total	\$	426,812.00
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The appropriation hereinabove made for salaries and other expenses shall be expended by the State Board of Education for the cost incurred by the State Department of Education in the administration of this program.

T. National Defense Education Program	275,000.00
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U. Physical Restoration of Crippled Children  
(Crippled Children's Service):

For salaries	450,000.00
For handicapped individuals	2,800,000.00

Total	3,250,000.00
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V. To the Department of Education for  
Plans and Surveys:

For salaries	56,000.00
For other expenses	16,500.00

Total	72,500.00
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W. For Regional Education	\$	161,420.00
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X. Alabama State University:

For the operation and maintenance of the University of Montgomery	4,976,000.00
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Y. State Tenure Commission:

For expense of operation	7,500.00
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Z. For training Teachers of Exceptional Teachers	250,000.00
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AA. (a) Vocational Education:

For salaries	75,000.00
For other expenses	37,150.00
For rental expenses	9,529.00
For equipment purchases	1,500.00
For Adult and Apprentice- ship education	800,000.00
For distributions to local board and institutions	28,985,734.00

Total	29,908,913.00
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Of the amount listed above for the distribution to local boards of education beginning with the fiscal year 1975-76 in addition to the salary received and all salary increments due, all vocational teachers shall receive a salary increase of not less than twelve and seven hundredths per centum (12.07%) of the state vocational salary schedule for the school year 1974-75.

The appropriation hereinabove shall be disbursed or obligated in accordance with a formula adopted by the State Board of Education. The total allocation of vocational teacher units to each county and city board of education shall be at least equal to the number received by the respective board during the preceding fiscal year. In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education Formula.

(b) For Industrial Development training; to  
be used for industrial purposes only ..... 1,450,000.00

**BB. State Vocational Technical School Equalization Account:**

For the operations and maintenance of the  
Vocational Technical Schools listed below, to  
be distributed in accordance with a formula  
adopted by the State Board of Education ..... 22,000,000.00

Of the amount above beginning with the fiscal year 1975-76 in addition to the salary received and all salary schedule increments due, all professional staff employed shall receive an increase of not less than twelve and seven-hundredths per centum (12.07%) of the state vocational-technical salary schedule for the school year 1974-75.

Of the above appropriations contained herein Section 3, paragraph BB, not more than the sum of \$200,000 may be used by the State Board of Education for administration of the vocational-technical school program.

The above appropriation is to be distributed to the following Vocational Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College-Technical Branch; (7) J. F. Drake State Technical College; (8) Carver State Technical Trade School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Vocational School; (12) Theodore A. Lawson State Community College-Technical Branch; (13) Douglas MacArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnelley State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) Tuscaloosa State Technical College; (25) Walker County State Trade School; (26) George Corley Wallace State Community College-Technical Branch (Selma); (27) George C. Wallace State Community College-Technical Branch (Dothan); (28) George C. Wallace State Technical Community College (Hanceville).

**CC. Southern Vocational College, Tuskegee**  
For operational maintenance ..... 50,000.00

(This appropriation shall be conditional upon  
the condition of the Alabama Special Educational Trust Fund and with the approval of  
the Governor.)

**DD. Transfer to Telephone Revolving Fund ..... 859,512.00**

**EE. State Department of Education:**

Appropriate the sum of \$15,000.00 to eleven  
City and County School Systems which par-

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participate in the Pilot Program of Educational Program Management Budgeting. The Systems participating shall be eligible upon certification by the Alabama Education Study Commission to the State Department of Education of the systems participating in this Pilot Program. All monies not used for this purpose shall revert to the Alabama Special Education Trust Fund .....	165,000.00
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**Section 4. BOARD OF TRUSTEES OF THE  
UNIVERSITY OF ALABAMA:**

**A. The University:**

(1) For operation and maintenance .....	26,605,000.00
(2) Gadsden Cooperative Upper Division Program .....	160,000.00
(3) For Emotionally Disturbed Children .....	275,000.00
(4) College of Community Health Sciences .....	1,400,000.00
(5) For Public Service, Research and Extension .....	1,516,000.00
(6) For Nursing Scholarships .....	18,000.00
(7) Psychology Department .....	100,000.00
(8) Family Practice Clinics .....	500,000.00
(9) Museum of Natural History—Moundville State Park .....	126,000.00
(10) Jones Law School, Montgomery .....	125,000.00
(11) Center for Vocational and Adult Teacher Education .....	100,000.00

**B. The University—Birmingham:**

(1) For the University College: Operation and maintenance .....	9,655,000.00
(2) For the School of Community and Allied Health Resources .....	1,123,000.00
(3) For the School of Dentistry: For operation and maintenance .....	5,000,000.00
(4) For Diabetes Clinics: For operation and maintenance .....	250,000.00
(5) Extension, Public Service and Research .....	500,000.00
(6) Urology Department: Treatment Research and Development .....	400,000.00
(7) Regional Technical Institute: For operation and maintenance .....	1,034,000.00
(8) For Joint Health Science Program: For operation and maintenance .....	1,280,000.00
(9) For Center for Labor Education and Research .....	250,000.00
(10) For Medical School:	
(a) For operation and maintenance .....	9,132,000.00
(b) For operation and maintenance of Medical Information Service via Telephone .....	100,000.00
(c) For Department of Pediatrics .....	300,000.00

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(11)	For Lurleen B. Wallace Cancer Program: For operation and maintenance .....	250,000.00
(12)	For School of Nursing: For operation and maintenance .....	1,644,000.00
(13)	For School of Nursing—Scholarships .....	88,400.00
(14)	For Student Nurses—Loan Fund .....	12,000.00
(15)	For School of Optometry: For operation and maintenance .....	1,000,000.00
(16)	For the University Hospital and Clinics .....	2,100,000.00
(17)	Spinal-Cord Injury Program .....	175,000.00
(18)	For Family Residency Program: (a) Anniston .....	200,000.00
	(b) Heflin .....	50,000.00
	(c) Florence .....	200,000.00
	(d) Jefferson County .....	200,000.00
	(e) Tuscaloosa .....	200,000.00
	(f) Montgomery .....	200,000.00
	(g) Pike County .....	200,000.00
(19)	For construction and renovation at Dia- betes Research and Education hospital (Birmingham) .....	1,000,000.00
<b>C. The University—Huntsville:</b>		
(1)	For operation and maintenance .....	4,256,000.00
(2)	(a) For School of Medicine (School of of Primary Medical Care) .....	1,900,000.00
	(b) For Ambulatory Care Center .....	350,000.00
(3)	For Division of Nursing—Scholarships .... (To be expended in accordance with Act No. 2290, 1971 Regular Session.)	18,000.00
(4)	Environmental Science Center .....	250,000.00
(5)	Motor Vehicle Research Center (1.6% State Cost-Grant) .....	50,000.00
(6)	School of Nursing .....	600,000.00
<b>Section 5. BOARD OF TRUSTEES OF AUBURN UNIVERSITY:</b>		
<b>A. The College:</b>		
(1)	For operation and maintenance .....	26,605,000.00
(2)	Engineering Experiment Station .....	475,000.00
(3)	Television Education .....	300,000.00
(4)	Center for Vocational and Adult Teacher Education .....	500,000.00
(5)	For Public Service, Research and Extension The funds provided in Section 5.A. (4) shall be used for the support of under-gradu- ate and graduate teacher education, re- search, and in-service extension activi- ties in vocational, technical and adult education.	1,000,000.00
(6)	Psychology Department .....	100,000.00
(7)	Wildlife Research Unit .....	50,000.00



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**B. Agriculture Research:**

<b>Alabama Agriculture Experiment Station at Auburn, for work and experimentation .....</b>	<b>5,460,000.00</b>
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That all research work and experimentation contemplated by the spirit and purpose of Section 5.B shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1976.

The funds provided in Section 5.C shall be used for the support of researchers, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaptation and improvement; for testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit and vegetable crops; for the study of plant and animal disease and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion. for researchers to discover new uses of land; for the provisions of necessary land, buildings, fencing livestock and other physical equipment needed for the research work herein provided for; for researchers in game and fish production; provided, however, that any researchers in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiments Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

**C. Extension Work for Agriculture and  
Home Economics:**

<b>For advising, demonstrating and informing people of Alabama in agricultural, farm and home pursuits, and other extension services....</b>	<b>6,430,000.00</b>
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The appropriation herein made for the Extension Service shall be expended the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

**D. Auburn University—Montgomery, Alabama:**

<b>For operation and maintenance .....</b>	<b>4,410,000.00</b>
<b>For Montgomery Area Community Health Sciences Institute .....</b>	<b>110,000.00</b>

**Section 6. BOARD OF TRUSTEES OF JACKSONVILLE STATE UNIVERSITY:**

<b>For operation and maintenance .....</b>	<b>7,262,000.00</b>
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For School of Nursing Scholarships .....	18,000.00
(To be expended in accordance with Act No. 228, 1971 Regular Session)	
For Gadsden Program .....	245,000.00
<b>Section 7. BOARD OF TRUSTEES OF LIVINGSTON UNIVERSITY:</b>	
For operation and maintenance .....	2,375,000.00
For School of Nursing Scholarships .....	18,000.00
<b>Section 8. BOARD OF TRUSTEES OF UNIVER- SITY OF MONTEVALLO:</b>	
For operation and maintenance .....	4,168,000.00
For Speech and Hearing Clinic .....	150,000.00
For operation and maintenance of a Highway Safety Program .....	110,000.00
<b>Section 9. BOARD OF TRUSTEES OF UNIVER- SITY OF NORTH ALABAMA:</b>	
For operation and maintenance .....	4,900,000.00
For School of Nursing Scholarships .....	18,000.00
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)	
<b>Section 10. BOARD OF TRUSTEES OF THE UNIVERSITY OF SOUTH ALABAMA:</b>	
(a) For operation and maintenance .....	7,192,000.00
(b) For Coordinate College for Health Professions ...	542,000.00
(c) For the operation and maintenance of a College of Medicine .....	5,650,000.00
(d) For Family Residency Program— Baldwin County .....	200,000.00
(e) For Nursing Scholarship .....	18,000.00
(To be expended in accordance with Act No. 2302, 1971 Regular Session.)	
(f) University Medical Center .....	850,000.00
(For unrestricted support of health professions education conducted in the University Hospi- tal and Clinics.)	
<b>Section 11. BOARD OF TRUSTEES OF TROY STATE UNIVERSITY:</b>	
(a) For operation and maintenance .....	5,159,000.00
(b) For operation and maintenance of Troy State University of Montgomery .....	165,000.00
(c) For operation and maintenance of Troy State University at Fort Rucker-Dothan .....	165,000.00
(d) For School of Nursing—Scholarships .....	36,000.00
(To be expended in accordance with Act No. 2292, 1971 Regular Session.)	
(e) For Public Service Research and Extension .....	200,000.00
<b>Section 12. BOARD OF TRUSTEES OF ALABAMA INSTITUTE FOR DEAF AND BLIND:</b>	
(a) For operation and maintenance .....	2,850,000.00
(b) For salaries and expenses incident to instruction of Adult Blind and for operation of the Trade School at the Institute .....	1,075,000.00

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(c) Department of Adult Blind and Deaf Vocational Education .....	60,000.00
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**Section 13. DEBT SERVICE:**

(1) For the payment of principal and interest due on bonds issued by Auburn University (Alabama Polytechnic Institute) pursuant to Constitutional Amendment No. CXX .....	308,760.00
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(2) For the payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXIX .....	308,760.00
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(3) For the payment of principal and interest due on bonds issued by the University of Alabama Research Institute pursuant to Constitutional Amendment No. CLVII .....	207,025.85
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(4) Interest on Endowments:

For interest on University of Montevallo (Alabama College) Endowment, Estimated .....	44,000.00
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For interest on Auburn University, Endowment .....	20,280.00
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For interest on University of Alabama Endowment .....	61,000.00
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For interest on Grove Hill Endowment .....	600.00
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For interest on Public School Fund Endowment:

Interest on 16th Section lands, Estimated .....	285,000.00
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Interest on School Indemnity lands, Estimated .....	67,135.81
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Interest on Valueless 16th Section lands .....	5,825.47
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Interest on Surplus Revenue .....	26,763.47
Interest on James Wallace Fund ..	275.25

Total .....	510,880.00
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**Section 14. BOARD OF DENTAL SCHOLARSHIP AWARDS:**

For Dental Scholarships at the University of Alabama School of Dentistry or any other dental School accredited by the Council of Dental Education of the American Dental Association.

(To be expended under the provisions of Act No. 792, 1965 Regular Session.) .....	83,000.00
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**Section 15. EDUCATION OF DEPENDENTS OF BLIND PARENTS:**

For reimbursement of every State Institution of Higher Learning, College, University, or State Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session, Estimated .....	6,930.00
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**Section 16. ALABAMA EDUCATION STUDY  
COMMISSION:**

To be used for educational studies in accordance  
with Act No. 15, 1969 Special Session:

For salaries, other expenses and equipment pur- chases .....	205,000.00
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**Section 17. ALABAMA EDUCATIONAL  
TELEVISION COMMISSION:**

For salaries .....	714,000.00
For other expenses .....	500,000.00
For equipment purchases .....	241,000.00
For automotive equipment pur- chases .....	10,000.00
For programming .....	375,000.00

Total .....	1,840,000.00
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**Section 18. COMMISSION ON  
HIGHER EDUCATION:**

(To be expended in accordance  
with Act No. 14, 1969 Special  
Session.)

For salaries .....	230,000.00
For other expenses .....	70,000.00

Total .....	300,000.00
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**Section 19. MARINE ENVIRONMENTAL  
CONSORTIUM:**

For operation and maintenance .....	325,000.00
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**Section 20. MEDICAL SCHOLARSHIPS BOARD:**

For Medical Scholarships at the University of Alabama Medical School. (To be expended under the provisions of Act No. 278, 1965 First Special Session.) .....	135,000.00
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Section 21. MONTGOMERY INSTITUTE FOR NEU- ROLOGICAL DEVELOPMENT .....	25,000.00
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**Section 22. ALABAMA PUBLIC  
LIBRARY SERVICE:**

For salaries .....	114,000.00
For other expenses .....	28,000.00

Total .....	142,000.00
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State Aid for all public libraries and library systems .....	608,000.00
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**Section 23. SOCIAL SECURITY:**

For State's share of Social Security, Estimated ..	28,500,000.00
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**Section 24. SYLACAUGA NURSES TRAINING  
SCHOOL:**

(To be expended in accordance with Act No.  
2393, 1971 Regular Session.)

For operation and maintenance .....	40,000.00
For School of Nursing Scholarships .....	18,000.00

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Section 25. BOARD OF CONTROL OF THE TEACHERS RETIREMENT SYSTEM:	
For Teachers Retirement System, Estimated ....	66,000,000.00
The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the ex- penditure of such Teachers Retirement Fund.	
For Teachers Special Pension Fund, Estimated	3,235,000.00
Section 26. VETERANS EDUCATION BENEFITS:	
For reimbursement to every State Institute of Higher Learning, College, University, or State Trade School or Junior College, in which ben- efits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session, Estimated	900,000.00
Section 27. JOHN M. WILL MEMORIAL SCHOLAR- SHIP FOUNDATION .....	1,000.00
Section 28. YOUTH SERVICES BOARD:	
For operation and maintenance .....	5,100,000.00
For salaries of Probation Officers .....	950,000.00
(To be expended in accordance with Act No. 816, 1973 Regular Session.)	
For administration .....	350,000.00
Section 29. BIRMINGHAM TRAINING CENTER FOR BRAIN INJURED .....	29,100.00
Section 30. ALABAMA LAW INSTITUTE FOR LIBRARY BOOKS .....	60,000.00
Section 31. ALABAMA LEARNING RESOURCES CENTER (INSTRUCTIONAL MA- TERIALS CENTER) .....	60,000.00
Section 32. ALABAMA SHAKESPEARE FESTIVAL, INC.:	
For the purpose of promoting and producing said festival .....	15,000.00
Section 33. WALKER COUNTY BOARD OF EDUCATION:	
For the use of the Sumiton Elementary School	500,000.00
Section 34. HENRY COUNTY BOARD OF EDUCATION:	
For capital outlay purposes .....	300,000.00
Section 35. BIRMINGHAM CITY BOARD OF EDUCATION:	
For Speech and Hearing Clinic .....	100,000.00
Section 36. WINFIELD CITY BOARD OF EDUCATION:	
For Capital Outlay .....	300,000.00
Section 37. MORGAN COUNTY BOARD OF EDUCATION:	
Falkville High School—	
For the construction of a gymnasium .....	300,000.00

Section 38.	BIRMINGHAM SYMPHONY ASSOCIATION, INC. ....	100,000.00
	(To be used for the support and maintenance of an expanded statewide music education program by the official Symphony of the State of Alabama for the young people in the primary and secondary schools, and to be expended with the advice of a committee composed of the State Superintendent of Education and four persons appointed by him and the President of the Birmingham Symphony Association and four persons appointed by him.)	
Section 39.	ARAB CITY BOARD OF EDUCATION .....	450,000.00
Section 40.	LAUDERDALE COUNTY BOARD OF EDUCATION .....	380,000.00
Section 41.	SOUTHERN REGIONAL EDUCATION BOARD .....	8,000.00
Section 42.	ALABAMA LAW ENFORCEMENT PLANNING AGENCY FOR REGIONAL ENFORCEMENT ACADEMIES:	
	a. Jacksonville State University .....	55,000.00
	b. Troy State University .....	55,000.00
	c. John C. Calhoun Junior College .....	55,000.00
	d. Jefferson State Junior College .....	55,000.00
	Total .....	220,000.00
Section 43.	COMMISSION ON PHYSICAL FITNESS:	
	For salaries .....	48,300.00
	For other expenses .....	13,200.00
	For equipment purchases .....	500.00
	Total .....	62,000.00
Section 44.	ALABAMA LAW INSTITUTE .....	125,000.00
Section 45.	ALABAMA COUNCIL ON THE ARTS AND HUMANITIES .....	150,000.00
Section 46.	ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION:	
	For salaries, other expenses and equipment purchases .....	35,000.00
Section 47.	ATHENS COLLEGE .....	1,000,000.00
Section 48.	Covington County Board of Education: for construction and equipment purchases at Red Level Grammar School .....	450,000.00
Section 49.	Atmore Technical Institute: for equipment and repairs .....	228,000.00

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Section 50. DEPARTMENT OF  
PUBLIC HEALTH:

For Immunization of Preschool and students .....	250,000.00
For Public School Food Sanita- tion Program .....	250,000.00
Total .....	500,000.00

Section 51. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon the approval by the Governor shall issue his warrant therefor; provided, that all appropriations and funds made available to the University of Montevallo, the University of Alabama, the University of South Alabama, Auburn University, the Institute for the Deaf and Blind, the Youth Services Board, the Alabama Educational Television Commission, Teachers Retirement System, University of North Alabama, Jacksonville State University, Livingston State University, Troy State University and the State Social Security Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 52. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 53. This Act shall become effective on October 1, 1975.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Barron, Biddle, Boles, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Dial, Edwards, Falkenburg, Folmar, Ford, Gafford, Greer, Gregg, Hall, Harris, Higginbotham, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNeas, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—87

On motion of Mr. Manley, a Committee on Conference was granted on the disagreement of the two houses on the Senate amendment to the bill, H. 489.

The Speaker of the House named as the Committee on Conference on the part of the House Messrs. Merrill, Owens and Manley.

SPECIAL ORDER RESUMED

And the bill:

S. 1036. To create an additional judgeship for the Sixth Judicial

Circuit of Alabama and provide for the election, term, compensation, powers, duties and authority of such judge.

Having been temporarily carried over, was read a third time at length and passed.

Yeas 71; Nays 1.

*Yeas:*

Mr. Speaker, Albright, Baker, Boles, Campbell, Carter, Clark, Cooper, Crawford, Cross, Falkenburg, Folmar, Gafford, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Weeks, White and Wyatt.

—71

*Nay:* Mr. Whatley.

—1

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Campbell, the rules were suspended in order to receive the amended bill, H. 1547, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1547. Relating to the First Judicial Circuit; providing for an additional circuit court judge in such circuit, and providing for the designation of judgeships upon the expiration of existing terms of office; and provides for the maintenance of an office for circuit judges in Clarke County.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Campbell, the House concurred in and adopted the Senate amendment to the bill, H. 1547, said Senate amendment being as follows:

#### A BILL TO BE ENTITLED AN ACT

Relating to the First Judicial Circuit; providing for an additional circuit court judge in such circuit, and providing for the designation of judgeships upon the expiration of existing terms of office; and provides for the maintenance of an office for circuit judges in Clarke County.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created an additional judgeship for the First Judicial Circuit. The additional judge shall be appointed for the circuit by the Governor, within ten days after the effective date of this act, who shall hold office until his successor is elected and qualified



at the next general election for any state office. The judge so elected shall hold office until his successor is elected and qualified at the next general election for circuit judges.

Section 2. The judge appointed or elected as provided in Section 1 of this act shall have and shall exercise all the jurisdiction, power, right and authority; shall possess all of the qualifications; shall perform all of the duties required; and shall be subject to all of the pains and penalties of such office as any other such judge is subject to in the same circuit.

Section 3. The compensation and allowances of such judge shall be paid in the same amount and under the same terms and manner as that of the other judge in the circuit.

Section 4. The judge may appoint a bailiff, and a court reporter whose qualifications, powers, duties, and authority shall be the same as each other bailiffs and reporters of the circuit court and whose compensation shall be paid in the same amount and under the same terms and manner as other bailiffs and reporters of the First Judicial Circuit.

Section 5. The existing judgeship shall be designated as Judgeship No. 1. The circuit judge occupying Judgeship No. 1 shall be the presiding judge. The additional judgeship herein created shall be designated Judgeship No. 2. At the first general election for circuit judges held after the expiration of the existing terms of office of incumbent circuit judges candidates will run for Judgeship No. 1 ("Presiding Judge") and Judgeship No. 2, respectively.

Section 6. A full time office shall be maintained for the circuit judge in the courthouse of Clarke County. The governing body of Clarke County is authorized to establish, maintain, staff and equip such office and pay from the general funds of the county treasury all costs incident thereto.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this act are repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Amend the substitute for H. B. 1547 by deleting Section 1, where it begins on line 27 of page 1 in its entirety and inserting in lieu thereof the following:

"Section 1. There is hereby created an additional judgeship for the First Judicial Circuit. Said additional judge shall run at the next general election and shall hold office until his successor is elected and qualified as provided in Article VI, Sections 146, 152 and 158, of the Constitution of Alabama. The judge for the additional judgeship shall be elected thereafter as are other circuit judges in this State."

Further amend said bill by deleting the words "appointed or" where they appear in Section 2 of said Bill on line 35 of page 1.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Barron, Biddle, Boles, Campbell, Carter, Clark, Crawford, Cross, Falkenburg, Folmar, Ford, Gafford,

Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Jackson (F), Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Locket, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White and Wyatt.

—76

And the bill, H. 1547 as thus amended, was again read at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Callahan, Campbell, Carter, Cooper, Crawford, Cross, Dial, Edwards, Falkenburg, Folmar, Ford, Gafford, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White and Wyatt:

—80

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Robertson, the rules were suspended in order to receive the amended bill, H. 500, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 500. To provide salary increases for certain state employees; and to appropriate funds therefor.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Robertson, the House concurred in and adopted the Senate amendment to the bill, H. 500, said Senate amendment being as follows:

In Section 1 insert at the end of line 20 the following:

, including all employees of county health departments who are employed subject to the state merit system law and whose compensation is paid out of a budget provided and agreed upon by the state, county or other contributing agency, under the direction of the state board of health,

Amend House Bill No. 500 by striking Section 4 on page 2 as amended in its entirety and inserting in lieu thereof the following:

Section 4. Such amounts as may be necessary to pay state employees the increased salaries provided are hereby appropriated for the

fiscal year beginning October 1, 1975 as follows: \$520.00 absolute and \$260.00 conditioned on funds being available and approved by the Governor from such funds as the salaries of the several state employees are, respectively, paid, or if there is not sufficient money in such funds, then from the general fund.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Boles, Calahan, Campbell, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hoping, Howard, Jackson (F), Jackson (R), Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Warren, Weeks, Whatley, White and Wyatt.

—87

And the bill, H. 500 as thus amended, was again read at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Boles, Calahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Edwards, Falkenburg, Folmar, Ford, Gafford, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hoping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Warren, Weeks, Whatley, White and Wyatt.

—91

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Gafford, the rules were suspended in order to receive the amended bill, H. 43, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 43. To provide for the reopening of the Employees' Retirement System of Alabama to those employees who were in service on October 1, 1974, who declined membership at the time of establishment, and to those who have non-membership service but who later joined the Employees' retirement System; also reopens said System to employees who were in service on October 1, 1974, who have creditable service for which they are ineligible to gain credit for reasons other than non-membership;

also to provide a redetermination of benefits for members retired prior to October 1, 1975; and further to provide for necessary and proper appropriations.

McDOWELL LEE,  
Secretary.

### SENATE MESSAGE

On motion of Mr. Gafford, the House concurred in and adopted the Senate amendment to the bill, H. 43, said Senate amendment being as follows:

Amend H. 43, by adding Section 9.

Section 9. Any person who is presently a regular employee of the State of Alabama and is covered or eligible to be covered under the State Employees' Retirement System and who, prior to such regular employment was employed as a fully budgeted school bus driver (not a student), mechanic or maintenance worker by any County or City Board of Education or the governing board of any public school in Alabama regardless of the source from which and the manner in which his salary was paid, shall be entitled to receive credit for all service in such capacity rendered by him prior to October 1, 1971; provided such person shall pay into the Employees' Retirement System, within six months from the effective date of this Act, a sum equal to the total contributions which he would have made as a member during the period of such employment from October 1, 1945 to October 1, 1971.

Yeas 79; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Callahan, Campbell, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Edwards, Falkenburg, Folmar, Gafford, Glass, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Holley, Holmes, Howard, Jackson (F), Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Lewis, Lockett, Lutz, McCluskey, McNair, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, White and Wyatt.

—79

Nay: Mr. Whatley.

—1

And the bill, H. 43 as amended, was again read at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Callahan, Campbell, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Folmar, Gafford, Glass, Greer, Gregg, Hall, Higginbotham, Hill, Hines, Holley, Holmes, Howard, Jackson (F), Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Lewis, Lockett, Lutz, McCluskey, McMillan, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White and Wyatt.

—80

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 170. To amend Section 30, Title 55, Code of Alabama 1940, which sets forth the duties and powers of the State Fire Marshal by granting to the Fire Marshal, and his deputies, full powers of peace officers.

Also:

S. 278. Relating to the 38th Judicial Circuit; to provide for additional Circuit Judge in such Circuit: defining his jurisdiction, powers, right and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

Also:

S. 478. To amend the title and Section 18 of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 et. seq.) as amended, which relates to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census: to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon etc. so as to provide further for the distribution of license fees, taxes, commissions, and other monies received under the provisions of this Act, and to create a board for the purpose of distributing a portion of such monies.

Also:

S. 480. To prohibit the operation of a motor or motorized vehicle upon coastal beaches or sand dunes of any island located within a county having a population of not less than 300,000 nor more than 600,000.

Also:

S. 481. To amend Act No. 2441, of the 1971 Legislature (Acts, 1971, page 3903), entitled "An Act To provide that the governing body of any municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; may appoint the chief of police of such a municipality in event of a vacancy, from the number of officers of the police force who hold the rank of captain or above, without regard to any civil service or personnel board rules or regulations concerning such appointment and providing that such personnel board may fix the compensation of said chief of police, and his status in any civil service system in such municipality."

Also:

S. 571. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

Also:

S. 654. To provide for supernumerary clerks of the circuit courts in the Sixth Judicial Circuit of the state, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment out of the county treasury of their salaries.

Also:

S. 742. To amend Section 1 of Act No. 178, H. 94, Special Session 1969 (Acts 1969, p. 244), which provides for the compensation of jurors in Tuscaloosa County.

Also:

S. 769. To amend Act No. 1178 of the 1973 Regular Session of the Legislature of the State of Alabama, which act established a court to be called the General Sessions Court of Madison County, so as to add thereto Section 18, so as to establish a Small Claims Division of said General Sessions Court of Madison County; to set the jurisdictional amount for claims to be processed through said Small Claims Division; to provide for the issuance of summons and complaints from said division; to provide for services of processes for claims handled through said division; to provide for filing fees and court costs for claims filed through said division; to provide for procedures, forms, and assistance to plaintiffs in the preparation of claims; to provide for the Clerk of said Court to have authority to enter judgments by default; and to provide for the employment of additional clerks and facilities to assist the General Sessions Court in the implementation of this act.

Also:

S. 851. Relating to Hale County; regulating and providing for the payment of compensation of election officers.

Also:

S. 852. Relating to Hale County; to provide that the county commission pay such a supplement to the pay of jurors so as to make their total pay \$20 per day.

Also:

S. 866. Relating to Hale County; providing for an expense allowance, in lieu of all other expense allowances, for the members of the county governing body for their remaining terms of office and providing for a salary for each such person, in lieu of all other compensation, to take effect upon the expiration of the current terms of office.

Also:

S. 952. To amend Act No. 796, H. 1033, Regular Session 1971 (Acts 1971, p. 1530) entitled, "An Act Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities."

Also:

S. 1071. Relating to Washington County; providing for the election of the county commission by the county at large; and providing for the residence of the commissioners from districts defined herein.

Also:

S. 1104. To further provide for the education and training of deaf, blind and certain other persons and to further define the authority of the board of trustees of the Alabama Institute for Deaf and Blind.

Also:

S. 1113. To provide for branch banking in Winston County.

Also:

S. 1174. To amend Section 3 of Act No. 1945, Regular Session of the 1971 Alabama Legislature to provide that in all counties having populations of not less than 300,000 nor more than 600,000 inhabitants according to the most recent or any subsequent federal decennial census, the county engineer need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of said county engineer's salary.

Also:

S. 1179. To provide for Supernumerary-Retired Probate Judges in all counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census; to prescribe the qualifications, term, duties, powers, authority, compensation and benefits of such supernumeraries; to provide for a Probate Judges Retirement Fund in such counties; to regulate the administration and supervision of said Fund and to repeal all conflicting statutes.

Also:

S. 1241. To repeal Act No. 208, H. 130, Third Special Session of 1975, approved May 5, 1975, entitled "To apply only in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; to better secure the administration of the financial affairs of such counties by vesting in the chairman and members of the county commission a direct and effective financial supervision over all county offices, departments, boards and agencies; to provide for the annual initiation and preparation of a balanced budget of all revenue and expenditures for the County General Fund, Road and Bridge Fund, Gasoline Fund, Public Highway and Traffic Fund, and other funds, including a tentative budget and hearings on the same before adoption of a final budget; to prohibit expenditures in excess of budgeted amounts, and to provide personal civil liability for any department head or other official in charge who violates such prohibition; to provide for proration to prevent an overdraft or deficit; to provide for lapsing of sums budgeted but not expended; to provide that the county commission shall have authority to hire a central purchasing agent in order to make possible the most efficient and economical means of expending county funds; to regulate the office of central purchasing agent and to provide penalties for violations to set the effective date of this act and to repeal conflicting laws."

Also:

S. 1258. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

Also:

S. 1260. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

McDOWELL LEE,  
Secretary.

## SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 106. DESIGNATING THE RACKING HORSE AS THE OFFICIAL STATE HORSE.

Also:

S. J. R. 148. NAMING THE H. B. 1601 WHICH RECENTLY PASSED THE LEGISLATURE "THE SUMMERVILLE-WAGNON EXTENSION RETIREMENT ACT OF 1975."

Also:

S. J. R. 150. Commending Senator Sparkman, Senator Allen and Representatives Jones and Bevill for their action in the interest of this State concerning the Tennessee Valley District of Alabama.

Also:

S. J. R. 152. NAMING BUTLER COUNTY ROAD 5 THE "HANK WILLIAMS MEMORIAL DRIVE."

Also:

S. J. R. 153. NAMING ALABAMA HIGHWAY 18 BETWEEN BERRY AND FAYETTE THE D. C. "DEACON" GREY MEMORIAL HIGHWAY.

McDOWELL LEE,  
Secretary.

## SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 1018. Relating to elections; to define "primary elections"; to provide party may choose to come under law; to define "political party"; to define the term "total vote"; to provide which elections are within the law; to provide for the date of elections; allows party to elect convention delegates by presidential preferential primary; to provide for party committees and their election; to provide for payment of expenses of primary elections; to provide method of filing declaration of candidacy



and require party chairman to certify such candidates; to require candidates to be eligible to hold office; to provide for public notice to election; to establish who may vote in primary; to provide for method of registering voters by political party preference and requiring all voters in future primaries to be registered as a member of respective party; to provide for method of changing party registration; to allow parties to assess fees against candidates; to allow candidates to nominate election officers and provides for oath of said officers; to provide for official ballots and election stationery; to provide for ballot boxes and voting machines to be used; to provide official form of ballot; provides method of challenging voters; to provide regulations for handling challenged ballots; to provide methods of casting votes; to provide for poll watchers; to provide for assistance to voters unable to read English; to provide duties of sheriff; to provide time of counting ballots; to provide for disposition of ballots, lists and supplies; to require public proclamation of the result; to provide for tabulation and declaration of results by precinct; to provide for declaration of candidate or nominee; to provide for date of second primary; to provide for breaking tie votes; to provide for certification of nominees to probate judge; to provide for filling vacancies in nominations; to provide for method, time and place of mass meetings; to provide penalties for violation of mass meeting law; and to repeal Code of Alabama 1940, Title 17, Chapter 2.

said Conference Report being in words and figures as follows, to-wit:

#### REPORT OF CONFERENCE COMMITTEE

To the Members of the Legislature:

We, your conferees, appointed to reconcile the differences between the two houses on the House substitute for S. 1018, as amended, beg leave to report as follows:

We recommend that both houses pass the House Substitute for S. 1018, as amended, and that said Substitute be further amended as follows:

Amend the House Substitute to S. 1018, page 4 lines 6-22, by striking out Section 5 entirely, and inserting in lieu thereof the following new section.

Section 5. The primary election, except any special primary elections, if held at the expense of the state or counties during the presidential year of 1976 shall be held on the first Tuesday after the first Monday in May and, if necessary, as hereinafter provided, a second or runoff primary election shall be held on the third Tuesday next thereafter following said primary election. After 1976, primary elections, except special primary elections, held at the expense of the state or counties, shall be held on the first Tuesday after the first Monday in September. When necessary, as hereinafter provided, a second or runoff primary election shall be held on the third Tuesday next thereafter following said primary election. Any second primary shall be held by the same election officers who held the first primary, and be held at the same places as the first primary election. No primary shall be held by any political party except as herein provided. Primary elections herein provided for shall be held at the regular polling places established for the purpose of holding general elections.

Further amend Senate Bill 1018 as follows:

On page 8, Section 13, line 24 after the word "primary," delete the following "and shall certify that he has been a member of the same for

at least 30 days next preceding said primary" and insert in lieu thereof the following: "and will support the nominees of that party in the general election"

Further amend Senate Bill 1018 as follows on page 8, Section 14, line 34 after the word "year's" by deleting the following: "emolument from all sources" and insert in lieu thereof the following: "salary or \$600, whichever is the lesser sum,"

WENDELL MITCHELL,  
J. RICHMOND PEARSON,  
GEORGE D. H. McMILLAN, JR.

Conferees on the part of the Senate.

ROBERT M. HILL, JR.,  
JOHN M. McMILLAN, JR.,  
JACK W. SMITH,

Conferees on the part of the House.

And said Bill, S. B. 1018, together with the report of the Committee on Conference, is herewith sent to the House for its consideration.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Smith (J), the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 1018, said Report being set out in the above and foregoing Message from the Senate.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Greer, Hall, Harris, Higginbotham, Hill, Hilliard, Hines, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMILLAN, McNair, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Warren, Whatley, White, Williams and Wyatt.

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And the bill:

S. 1018. Relating to elections; to define "primary elections"; to provide party may choose or come under law; to define "political party"; to define the term "total vote"; to provide which elections are within the law; to provide for the date of elections; allows party to elect convention delegates by presidential preferential primary; to provide for party committees and their election; to provide for payment of expenses of primary elections; to provide method of filing declaration of candidacy and require party chairmen to certify such candidates; to require candidates to be eligible to hold office; to provide for public notice to election; to establish who may vote in primary; to allow parties to assess fees against candidates; to allow candidates to nominate election officers

and provides for oath of said officers; to provide for official ballots and election stationery; to provide for ballot boxes and voting machines to be used; to provide official form of ballot; provides method of challenging voters; to provide regulations for handling challenged ballots; to provide methods of casting votes; to provide for poll watchers; to provide for assistance to voters unable to read English; to provide duties of sheriff; to provide time of counting ballots; to provide for disposition of ballots, lists and supplies; to require public proclamation of the result; to provide for tabulation and declaration of results by precinct; to provide for declaration of candidate or nominee; to provide for date of second primary; to provide for breaking tie votes; to provide for certification of nominees to probate judge; to provide for filling vacancies in nominations; to provide for method, time and place of mass meetings; to provide penalties for violation of mass meeting law; and to repeal Code of Alabama 1940, Title 17, Chapter 2.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Warren, Whatley, White, Williams and Wyatt.

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## RESOLUTIONS

The following resolution was introduced:

By Messrs. Callahan, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCorquodale, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

H. J. R. 438. CONGRATULATING MR. AND MRS. BILL BAYLEY AND THEIR STAFF ON THE WONDERFUL SEAFOOD SUPPER THEY PREPARED FOR THE LEGISLATURE AND THE LEGISLATIVE STAFF.

WHEREAS the members of the Alabama Legislature and their staffs have again worked late into the night on the final night of 1975 Regular Session; and

WHEREAS the hard work and long hours have created unusual hunger on the part of the Legislature and their staff; and

WHEREAS this hunger was overwhelmingly subdued by the culinary art of the world famous seafood chefs from Mobile, Mr. Bill Bayley and his lovely wife Ethel and their staff; and

WHEREAS the Alabama Legislature now knows why Bayley's Seafood Restaurant of Mobile so richly deserves their outstanding reputation for the preparation of seafood; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do heartily express their most sincere appreciation to Mr. and Mrs. Bayley and their staff for traveling to Montgomery and once again demonstrating their outstanding and unusual ability in the preparation of delightful and unusual seafood dishes.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the Bayley's.

On motion of Mr. Callahan, the rules were suspended and tht resolution, H. J. R. 438, was adopted.

#### MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama  
Lady and Gentlemen:

I herewith transmit to you a message from the Governor concerning House Bill 1836.

Respectfully Submitted,  
HENRY B. STEAGALL, II,  
Executive Secretary.

DONE THIS 9th DAY OF OCTOBER 1975.

To The House of Representatives  
State Capitol  
Montgomery, Alabama  
Lady and Gentlemen:

At the request of the sponsor, I am returning to you, the body in which it originated, House Bill 1836 without my signature and approval.

Respectfully,  
GEORGE C. WALLACE,  
Governor.

#### GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 1836. To provide an additional expense allowance for the circuit court reporters of the Ninth Judicial Circuit by the counties composing said circuit.

The question was upon the passage of the bill, H. 1836, the Governor's veto to the contrary notwithstanding.

On motion of Mr. Killian, the bill, H. 1836, was again read at length, and the House refused to pass said bill over the veto of the Governor.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Barron, Brindley, Callahan, Campbell, Carter, Cates, Cooper, Cross, Drake, Folmar, Gafford, Glass, Greer, Gregg, Harris, Higginbotham, Hines, Holley, Johnstone, Kelley, Kennedy, Killian, Kinsey, LeFlore, Lewis, Lockett, Lutz, McMillan, Manley, Mitchem, Moore (W), Naramore, Pegues, Plaster, Roberts, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Venable, Warren and Williams.

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#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

#### REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, H. J. R. 430, and ordered same returned to the House with a favorable report:

#### CREATING AN INTERIM COMMITTEE TO STUDY THE TAX STRUCTURE OF THE STATE OF ALABAMA AND THE DISTRIBUTION OF TAX REVENUES.

On motion of Mr. Gafford, the resolution, H. J. R. 430, was adopted.

Yeas 47; Nays 42.

Yeas:

Mr. Speaker, Andrews, Armstrong, Barron, Biddle, Callahan, Carter, Clark, Coburn, Cooper, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Goodwin, Harris, Hines, Holley, Jackson (F), Jackson (R), Jolly, Kinsey, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Merrill, Moore (O), Moore (W), Morris, Pegues, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (M), Sonnier, Taylor, Waggoner and White.

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Nays:

Messrs.: Albright, Boles, Brindley, Campbell, Carothers, Cates, Crawford, Cross, Folmar, Ford, Gregg, Hall, Harrison, Hill, Hilliard, Holmes, Hopping, Howard, Johnson, Johnstone, Kennedy, LeFlore, Leonard, Lewis, Lockett, Lutz, McNair, Martin, Naramore, Plaster, Porter, Quarles, Robertson, Smith (C), Sparks, Starkey, Tucker, Turnham, Venable, Warren, Williams and Wyatt.

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#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 198. To amend further Section 366 of Title 52 of the Code of Alabama 1940, as amended, which relates to the Teachers' Retirement System of Alabama, so as to provide for 2.0125% formula in calculating retirement benefits and to provide for the removal of the 80% of average final compensation restriction on retirement benefits; also provides for a redetermination as of October 1, 1975; also provides for a clarification of the corporate powers of the Retirement Systems of Alabama; and further provides for necessary and proper appropriations.

Also:

H. 199. To provide that in the event Section 366 of Title 52 of the Code of Alabama 1940, as amended, provides, at the time this Act becomes effective, that the formula factor for computing teachers' retirement benefits shall be 2.0125%, then any retired teacher and/or any teacher who retires hereafter, who does not receive a 15% net gain in retirement benefits by operation of the formula increase, shall receive an additional amount which shall be sufficient, when added to result in a "post-formula increase" net gain in benefits equal to, but not exceeding, 15% of such member's prior benefit entitlements; also to provide for all necessary and proper appropriations.

Also:

H. 97. In addition to any law or part of any law contained and appearing in Chapter 14 of Title 52 of the Code of Alabama 1940, as amended, which relates to the Teachers' Retirement System of Alabama, to provide for the retirement under the Teachers' Retirement System of any teacher, regardless of age, who is a member of the Teachers' Retirement System, and, who has thirty years of creditable service; also provides for a clarification of the corporate powers of the Retirement Systems of Alabama; and to provide for necessary and proper appropriations.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1562. To amend Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), which act creates the Alabama Historical Commission, so as to provide further for the employment by the said commission of certain personnel.

Also:

H. 1778. To make a conditional appropriation from the general fund of the State Treasury to the Alabama Historical Commission of the sum of Five Hundred Thousand (\$500,000.00) to be used for the purpose of fully restoring Fort Toulouse and to develop the Fort Toulouse Complex.

Also:

H. 1184. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 63. To amend Section 1 of Act No. 515, HB 93, approved July 9, 1945 (General Acts 1945, p. 734) as amended (Title 55, Section 456, Code of Alabama 1940, Recompiled 1958, and as amended), which relates to the Employees' Retirement System of Alabama; so as to provide that the "average final compensation" used to calculate a member's retirement benefit will be based upon the three (3) years, rather than the five (5), of the final ten (10) years of membership service in which earnable compensation is highest. To also provide for the redetermination of all retirement allowance payments due on or after October 1, 1975, to members who retire prior to said date. Also to provide for necessary and proper appropriations to carry out the provisions of this Act.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 584. To make appropriation for the support and maintenance of the Tuskegee Institute located in Macon County for the next fiscal year.

Also:

H. 457. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Also:

H. 488. To make appropriations for the support and maintenance of Talladega College.

Also:

H. 271. To make appropriations for the support and maintenance of the Walker County Junior College located at Jasper, in Walker County.

Also:

H. 476. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

McDOWELL LEE,  
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts

of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

Also:

H. 658. To amend Section 25 of Act No. 1, Regular Session 1945 (Acts of Alabama 1945, p. 1), by increasing the permit fee for oil and gas wells and to regulate further the disposition and use of such permit fees.

Also:

H. 113. To provide for and regulate absentee voting in primary, general, special and municipal elections; prescribing penalties for violations of the Act; repealing conflicting laws and specifically repealing Act No. 424, H. 351, Regular Session 1949, (Acts 1949, page 601) and all acts amendatory and supplemental thereto.

Also:

H. 1243. Relating to Mobile County; providing for the reapportionment of the Mobile County Board of School Commissioners to consist of five members elected from the House Districts or portions thereof which are located within the boundaries of Mobile County; providing for election and length of term for the new commissioners.

Also:

H. 1194. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama which section provides for the issuance of revenue bonds by a board of water and sewer commissioners, by changing the rate of interest that such bonds may bear.

Also:

H. 1373. To exempt waterworks boards now or hereafter organized under the provisions of Act No. 175 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

H. 1489. To amend a portion of Section 3, Act No. 1948, H. 1151, Acts of Alabama, 1971, Regular Session, page 3146, approved September 20, 1971.

Also:

H. 600. Relating to the profession and practice of optometry; defining the practice and profession of optometry; providing for the licensing, examination, and regulation of optometrists; abolishing the State Board of Optometry; creating the Alabama Board of Optometry, and prescribing its powers, duties and authority; providing for the issuance of temporary licenses, limited licenses, licenses, license certificates and annual registration certificates, and prescribing the qualifications of persons to practice optometry; providing for the collection and disbursement of examination and other fees and charges; authorizing the Alabama Board of Optometry to examine applicants for licenses and license certificates, and to issue and deny licenses, and to conduct hearings and



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to initiate legal proceedings to impose sanctions against licensees for violating the provisions of this act; and providing for the enforcement of the act and prescribing penalties for violations thereof; repealing Chapter 11 of Title 46, Code of Alabama (1940) and any other laws which conflict with this act.

Also:

H. 390. Proposing an amendment to Article 4, Section 106 of the Constitution of Alabama to dispense with the requirement of spreading notice and proof of local legislation on the journals of each house by providing that the Clerk of the House or the Secretary of the Senate shall merely certify in the appropriate journal that notice and proof was attached to the local legislation and is attached as a matter of public record to the original copy of the bill filed in the Department of Archives and History.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. McMillan offered the motion to reconsider the vote by which the bill, S. 306 was passed, and the motion was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Cross, Crowe, Dial, Edwards, Folmar, Ford, Goodwin, Greer, Harris, Hill, Hines, Jackson (F), Johnstone, Jolly, Killian, Kinsey, LeFlore, Lewis, Lockett, Lutz, McCulley, McMillan, Malone, Manley, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, White and Williams.

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The Senate refused to return the bill, S. 306, for further consideration by the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 803. To amend Sections 6, 7 and 10 of Act No. 727, H. 1714, 1973 Regular Session (Acts of 1973, p. 1086) relating to Bibb County so as to provide further for the method of compensation of the probate judge

and his assistants, the assistants of the circuit clerk and to change the effective date as to the probate judge and his assistants to July 1, 1975.

And said Bill, H. B. 803, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,  
Secretary.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Turnham, the rules were suspended in order to bring up out of order on the Special Order Calendar the bill, S. 86:

And the bill:

S 86. (With Amendment): To amend Title 52, Section 41, as amended, Code of Alabama 1940, which relates to the appointment, term, qualifications and salary of the State Superintendent of Education so as to raise the top annual salary that can be paid to the State Superintendent of Education and provides that the State Board of Education may enter into a contract with the State Superintendent of Education for his services for a period not to exceed four years.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Senate Bill 86 as amended in Section 1 by striking therefrom wherever they appear, the figure and inserting in lieu thereof the following figure:

\$35,000

#### AMENDMENT TABLED

On motion of Mr. Turnham, the amendment reported by the Standing Committee on Ways and Means to the bill, S. 86, was tabled.

Yeas 67; Nays 14.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Carothers, Carter, Cooper, Crawford, Dial, Drake, Folmar, Ford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Holley, Holmes, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Owens, Pegues, Porter, Quarles, Reed, Rich, Riddick, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Tucker, Turnham, Venable, Waggoner, Whatley, Williams and Wyatt.

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Nays:

Messrs.: Barron, Cates, Clark, Coburn, Cross, Howard, Lutz, McCluskey, Naramore, Roberts, Robertson, Smith (J), Taylor and Warren.

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And the bill, S. 86, was read a third time at length and passed.

Yeas 73; Nays 9.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Carothers, Carter, Coburn, Cooper, Crawford, Cross,

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Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McMillan, McNees, Malone, Manley, Martin, Mitchem, Moore (W), Owens, Pegues, Porter, Reed, Rich, Riddick, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Williams and Wyatt.

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*Nays:*

Messrs.: Barron, Cates, Clark, Jolly, McCluskey, Roberts, Robertson, Smith (J), and Warren.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 1488. To provide that the Shelby County Commission is authorized to provide an additional expense allowance to certain county officers.

And said Bill, H. B. 1488, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,  
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. B. 628. To authorize and provide for the payment out of the county treasury of pension or retirement allowances, under certain cir-

cumstances, to judges of the county court in any county in the Sixth Judicial Circuit.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 354. To amend Act No. 224, S. 68 of the Regular Session of 1965 (Acts 1965, p. 315) entitled "An Act To require that those buildings and facilities constructed in the state by the use of state, county or municipal funds shall adhere to the principles prescribed by this act, so as to make these buildings and facilities accessible to, and usable by, the physically handicapped," so as to authorize and provide for the adoption and enforcement by the authorities charged with the enforcement of said act, as rules and regulations having the force and effect of law, of additional standards prescribed by the American National Standards Institute for making buildings and facilities accessible to and functional for the physically handicapped; and for such purposes amending Sections 1 and 10 of said act.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 489. To make annual appropriations for the support, maintenance, and development of public education in Alabama for the fiscal year ending September 30, 1976.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Flippo, Owen and Littleton.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 296. RELATIVE TO PAYMENT OF POSTAGE FOR MEMBERS OF THE LEGISLATURE.

McDOWELL LEE,  
Secretary.

## SPECIAL ORDER RESUMED

And the bill:

S. 92. To provide for the enactment of and make Alabama a party to the Southern Growth Policies Agreement.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Cooper,

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Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hines, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Trammell, Tucker, Venable, Waggoner, Warren, Williams and Wyatt.

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S. 616 TAKEN UP

And the bill:

S. 616. To provide that the annual sessions of the legislature shall commence on the last Tuesday in March of each of the first three years of the term of office of the legislature and on the third Tuesday in January of the fourth year of said term.

As amended and postponed on the thirty-fifth legislative day, was taken up.

The question was then on the amendment offered by Mr. Hall on the thirty-fifth legislative day to the bill, S. 616 as amended.

MOTION TO POSTPONE TABLED

On motion of Mr. Callahan, the substitute motion offered by Mr. Carothers to postpone consideration of the bill, S. 616 as amended, until 11:30 o'clock p.m., was tabled.

Yeas 72; Nays 18.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Boles, Callahan, Campbell, Carter, Cates, Clark, Coburn, Cooper, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Hopping, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Porter, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (C), Smith (M), Sonnier, Teague, Tucker, Turnham, Venable, Waggoner, Warren and Whatley.

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Nays:

Messrs.: Barron, Carothers, Crawford, Gafford, Hall, Holley, Howard, LeFlore, Leonard, McNeas, Morris, Quarles, Robertson, Smith (J), Taylor, White, Williams and Wyatt.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 1278. Relating to Lawrence County; to provide that a certain percentage of the proceeds accruing to the Alabama Department of Aeronautics from any rental or lease agreement covering certain lands

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in said county shall be deposited to the Lawrence County general fund; requiring all such leases to be let on a competitive bid basis.

by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1278, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1278, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,  
Secretary.

**MESSAGE FROM THE SENATE**

**Mr. Speaker:**

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 1518. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1518, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1518, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,  
Secretary.

**MESSAGE FROM THE SENATE**

**Mr. Speaker:**

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 1866. Relating to DeKalb County; authorizing the DeKalb County Commission to levy an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1866, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1866, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,  
Secretary.

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S. 616 RESUMED  
AMENDMENT TABLED

The question was then on the amendment offered by Mr. Hall to the bill, S. 616 as amended, and on motion of Mr. Smith (B), the amendment was tabled.

Yeas 64; Nays 21.

*Yeas:*

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Biddle, Callahan, Carter, Cates, Clark, Coburn, Cooper, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hilliard, Hopping, Jackson (F), Johnstone, Jolly, Kennedy, Killian, Kinsey, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Malone, Mitchem, Moore (W), Morris, Naramore, Owens, Quarles, Rich, Riddick, Roberts, Sandusky, Shelton, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Teague, Tucker, Venable, Waggoner, Warren and Whatley.

—64

*Nays:*

Messrs.: Boles, Campbell, Carothers, Crawford, Hall, Harrison, Hines, Holley, Kelley, Lee, Leonard, McNees, Manley, Martin, Pegues, Plaster, Porter, Smith (C), Taylor, Williams and Wyatt.

—21

Mr. Smith (B) offered the following amendment to the bill, S. 616 as amended:

Amend the substitute for Senate Bill 616, page 1, line 23 by striking the figures and inserting in lieu thereof the figures 1977.

MOTION TO TABLE LOST

The motion offered by Mr. White to table the amendment offered by Mr. Smith (B) to the bill, S. 616 as amended, was lost.

Yeas 30; Nays 61.

*Yeas:*

Mr. Speaker, Barron, Crawford, Dial, Falkenburg, Gafford, Goodwin, Hall, Harris, Harrison, Hilliard, Leonard, Lewis, McCluskey, McNees, Manley, Mitchem, Morris, Pegues, Porter, Quarles, Roberts, Smith (C), Smith (J), Sonnier, Starkey, Taylor, Teague, Tucker and White.

—30

*Nays:*

Messrs.: Albright, Andrews, Armstrong, Baker, Biddle, Callahan, Carothers, Carter, Cates, Clark, Coburn, Cooper, Cross, Drake, Edwards, Folmar, Glass, Greer, Gregg, Higginbotham, Hill, Hines, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lockett, Lutz, McCulley, McMillan, Malone, Martin, Moore (O), Moore (W), Naramore, Owens, Plaster, Riddick, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (M), Sparks, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, Williams and Wyatt.

—61

## AMENDMENT OFFERED

Mr. Carothers offered the following amendment to the bill, S. 616 as amended:

Amend Sub. S. B. 616 to read 2nd Tuesday in March anywhere the February date appears.

## AMENDMENT TABLED

On motion of Mr. Smith (M), the amendment offered by Mr. Carothers to the bill, S. 616 as amended, was tabled.

Yeas 51; Nays 30.

*Yeas:*

Messrs.: Albright, Andrews, Armstrong, Baker, Callahan, Cates, Clark, Coburn, Cooper, Cross, Crowe, Drake, Edwards, Gregg, Higginbotham, Hill, Hilliard, Hines, Hopping, Jackson (F), Jolly, Kelley, Kennedy, Killian, Kinsey, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Martin, Mitchem, Moore (W), Naramore, Owens, Quarles, Roberts, Sandusky, Smith (B), Smith (M), Sonnier, Sparks, Teague, Tucker, Waggoner, Warren, Whatley, Williams and Wyatt.

—51

*Nays:*

Messrs.: Biddle, Campbell, Carothers, Crawford, Dial, Folmar, Gafford, Goodwin, Greer, Hall, Harrison, Holley, Howard, Jackson (R), Lee, LeFlore, Leonard, McNeas, Manley, Morris, Pegues, Plaster, Porter, Riddick, Smith (C), Smith (J), Starkey, Taylor, Venable and White.

—30

## AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. Smith (B) to the bill, S. 616 as amended, and the amendment was adopted.

Yeas 65; Nays 14.

*Yeas:*

Messrs.: Albright, Andrews, Armstrong, Baker, Biddle, Callahan, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Glass, Greer, Gregg, Higginbotham, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jolly, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Martin, Mitchem, Moore (W), Naramore, Owens, Plaster, Porter, Quarles, Reed, Riddick, Roberts, Sandusky, Sasser, Smith (B), Smith (M), Sonnier, Sparks, Starkey, Teague, Tucker, Venable, Waggoner, Warren, Williams and Wyatt.

—65

*Nays:*

Messrs.: Carothers, Coburn, Goodwin, Hall, Harrison, Hill, Jackson (R), Leonard, McNeas, Morris, Smith (C), Smith (J), Taylor and White.

—14

And the bill, S. 616 as thus amended, was read a third time at length and passed.

Yeas 82; Nays 7.

*Yeas:*

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carter, Cates, Clark, Coburn, Crawford,



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Cross, Crowe, Dial, Drake, Edwards, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Hopping, Jackson (F), Jackson (R), Jolly, Kennedy, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—82

*Nays:*

Messrs.: Carothers, Hall, Howard, Leonard, McNair, McNees and Morris.

—7

MOTION TO RECONSIDER

Having voted on the prevailing side by which the resolution, H. J. R. 430, was adopted, Mr. Holley offered the motion to reconsider the vote.

MOTION TO TABLE LOST

The motion offered by Mr. Gafford to table the motion offered by Mr. Holley to reconsider the resolution, H. J. R. 430, was lost.

Yeas 41; Nays 48.

*Yeas:*

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Callahan, Carter, Clark, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Harris, Hines, Kinsey, Lee, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Moore (O), Moore (W), Morris, Pegues, Reed, Rich, Sandusky, Sasser, Smith (J), Smith (M), Sonnier, Teague, Trammell, Waggoner, Warren and White.

—41

*Nays:*

Messrs.: Albright, Brindley, Campbell, Carothers, Cates, Coburn, Crawford, Cross, Folmar, Greer, Gregg, Hall, Harrison, Higginbotham, Hill, Hilliard, Holley, Holmes, Howard, Jackson (F), Jackson (R), Johnson, Kennedy, LeFlore, Leonard, Lewis, Lockett, Lutz, McNair, Martin, Naramore, Owens, Plaster, Porter, Quarles, Riddick, Roberts, Smith (B), Smith (C), Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Whatley, Williams and Wyatt.

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MOTION TO RECONSIDER LOST

The question was then on the motion offered by Mr. Holley to reconsider the vote by which the resolution, H. J. R. 430 was adopted, and the motion was lost.

Yeas 44; Nays 44.

*Yeas:*

Messrs.: Albright, Andrews, Brindley, Campbell, Carothers, Cates, Crawford, Cross, Folmar, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Holmes, Howard, Johnson, Kennedy, LeFlore, Leonard, Lewis, Lockett, Lutz, McNair, Martin, Naramore, Plaster, Porter, Quarles, Riddick, Roberts, Smith (B), Smith (C), Smith (J), Sparks, Starkey, Taylor, Tucker, Turnham, Venable, Williams and Wyatt.

—44

*Nays:*

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Callahan, Clark, Coburn, Cooper, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Harris, Higginbotham, Hines, Jackson (F), Jackson (R), Johnstone, Jolly, Kinsey, Lee, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Moore (O), Moore (W), Morris, Pegues, Reed, Rich, Sandusky, Sasser, Sonnier, Trammell, Waggoner, Warren and White.

—44

## RESOLUTION

The following resolution was introduced:

By Mr. Glass:

H. J. R. 439. ENJOINING THE LEGISLATURE TO CONSIDER THE APPROPRIATION BILLS EARLY IN THE NEXT REGULAR SESSION, AND IF SUCH BILLS HAVE NOT BEEN PASSED BY THE TWENTIETH LEGISLATIVE DAY, TO TAKE SUCH BILLS UP IMMEDIATELY AFTER THE CALL OF THE DISTRICTS ON THE 21ST LEGISLATIVE DAY AND EACH DAY THEREAFTER UNTIL THEY ARE ENACTED.

WHEREAS the stalemate in the current session of the Legislature of Alabama, caused by dickering over the general appropriation and the appropriation for education is causing much concern among the people of this state, and particularly hampering planning for the schools of the state for the coming year and also the planning and arrangements for the normal and essential functions of the state government for the next year; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature hereby pledges it self to tackle and endeavor to solve the problems of financing the state government and education as early in the next regular session as possible.

BE IT FURTHER RESOLVED That if an education appropriation bill and a general appropriation bill have not been passed by the two houses by the end of the 20th legislative day of such session, that these two bills will be taken up immediately after the call of the districts on the 21st legislative day and they shall from day to day each day thereafter be taken up at the same time until they are enacted.

On motion of Mr. Glass, the rules were suspended and the resolution, H. J. R. 439, was adopted.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 438. CONGRATULATING MR. AND MRS. BILL BAYLEY AND THER STAFF ON THE WONDERFUL SEAFOOD SUPPER THEY PREPARED FOR THE LEGISLATURE AND THE LEGISLATIVE STAFF.

Also:

H. J. R. 430. CREATING AN INTERIM COMMITTEE TO STUDY THE TAX STRUCTURE OF THE STATE OF ALABAMA AND THE DISTRIBUTIONS OF TAX REVENUES.

SPECIAL ORDER RESUMED

And the bill:

S. 925. To authorize any county in the state to acquire any water works plant or distribution system owned by a municipality or public corporation within such county and to assume any indebtedness connected therewith; to authorize any municipality in the state to sell or convey any such water works plant or water distribution system, or both, to the county in which the system is located, upon the assumption of any indebtedness connected therewith, without an election; and to require publication of a notice with respect thereto.

Was read a third time at length and passed.

Yeas 57; Nays 2.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Drake, Edwards, Falkenburg, Folmar, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Jolly, Killian, Kinsey, LeFlore, Lewis, Lockett, Lutz, McMillan, McNeese, Manley, Martin, Mitchem, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Williams and Wyatt.

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Nays: Messrs.: Hilliard and Leonard.

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 66. To require the granting, under certain circumstances, of either overtime pay or compensatory leave to law enforcement officers in the service of the state.

Also:

H. 1804. This Act shall be known as the "Alabama Catfish Marketing and Consumer Act of 1975"; allow for the orderly marketing and easy consumer identification in the retail market place of catfish products produced or processed in the State of Alabama; and for related purposes.

Also:

H. 383. To provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services of Chiropractors.

Also:

H. 556. To amend Section 6, as amended, and Section 7 of Act No. 27, S. 30, Regular Session 1949 [Acts 1949, p. 39-42 now appearing in Code of Alabama, Recompiled 1958, Title 55, Sections 133 (1) and 140 (1) [entitled "An Act To prescribe further regulations governing the publication of the acts and journals of the Legislature; imposing additional duties upon the Secretary of the Senate, the Clerk of the House, and Legislative Reference Service, and prescribing penalties for neglect of duty; superseding Sections 125, 126, 127, 129, 130, 131, 133, 134, 140, 141,

142, 143, and 144 of Title 55 of the Code of Alabama (1940)" so as to change certain procedures relating to the printing, publication and distribution of the acts and journals of the legislature and to repeal conflicting statutes.

Also:

H. 1684. Relating to the sale of agricultural liming materials; to regulate the manufacture, sale and distribution of agricultural lime or liming materials by requiring such manufacturers, distributors or sellers thereof to obtain an annual permit from the Commissioner of Agriculture and Industries, prescribing the fee therefor; requiring such product to be labeled; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; to levy an inspection fee upon agricultural liming materials based upon the sale thereof; providing for the assessment and payment of monetary penalties where agricultural liming materials are deficient pursuant to standards or requirements as fixed by the State Board of Agriculture and Industries; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 22 of Chapter 1 of Title 2 of the Code of Alabama of 1940.

McDOWELL LEE,  
Secretary.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Callahan, the rules were suspended in order to receive the amended bill, H. 571, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 571. Pursuant to provisions of Section 155, Article VI of the Constitution of Alabama as amended (Section 6.16 of Amendment CCCXXVIII, proclaimed December 27, 1973), this bill creates and provides for Supernumerary-Retired Probate Judges in counties having a population of 300,000 and over, according to the last or any subsequent federal census, similar to and equal with provisions of law for Circuit Judges in such counties, and provides for continuation of service; creates and establishes the Probate Judges Retirement Fund in such counties for the purpose of providing for the payment of retirement and disability benefits for such judicial officers; prescribing the qualifications, term, duties, powers, authority, compensation and benefits of any such county Supernumerary-Retired Probate Judge of such counties; providing for payment of contributions into such fund by any eligible probate judge and for payments out of the county general fund or from fees and commissions collected by the probate court and paid into the county general fund. It provides for carrying out the provisions of this Act, and regulates the administration and supervision thereof.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Callahan, the House concurred in and adopted the Senate amendment to the bill, H. 571, said Senate amendment being as follows:

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Amend House Bill 571 in Section 5 by deleting the figure "600,000" and adding in lieu thereof the figure "300,000".

Yeas 55; Nays 0.

*Yeas:*

Messrs.: Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Cates, Coburn, Crawford, Crowe, Dial, Drake, Folmar, Glass, Goodwin, Greer, Gregg, Hall, Higginbotham, Hill, Jackson (F), Kelley, Kinsey, Lee, LeFlore, Lewis, Lutz, McCluskey, McMillan, McNees, Malone, Manley, Mitchem, Moore (O), Pegues, Plaster, Quarles, Rich, Roberts, Robertson, Sandusky, Sasser, Smith (C), Smith (J), Smith (M), Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Warren and Williams.

—55

And the bill, H. 571 as thus amended, was again read at length and passed.

Yeas 66; Nays 0.

*Yeas:*

Messrs. Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Cates, Coburn, Cooper, Crawford, Dial, Drake, Falkenburg, Folmar, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Hopping, Howard, Johnstone, Kelley, Kennedy, Killian, Kinsey, LeFlore, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Malone, Manley, Mitchem, Moore (O), Pegues, Plaster, Porter, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Smith (C), Smith (J), Smith (M), Sparks, Starkey, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Whatley and Williams.

—66

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Naramore to suspend the rules in order to bring up out of order the bill, S. 752, was lost, lacking a four-fifths vote.

Yeas 46; Nays 42.

*Yeas:*

Messrs. Albright, Boles, Brindley, Callahan, Carter, Coburn, Cooper, Cross, Dial, Folmar, Ford, Glass, Greer, Hall, Harris, Hill, Hilliard, Hines, Holley, Hopping, Howard, Johnson, Johnstone, Kennedy, Kinsey, LeFlore, McCluskey, McNees, Malone, Martin, Naramore, Plaster, Rich, Roberts, Robertson, Smith (C), Sonnier, Starkey, Taylor, Teague, Turnham, Venable, Warren, Weeks, Williams and Wyatt.

—46

*Nays:*

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Cates, Crawford, Drake, Edwards, Falkenburg, Goodwin, Gregg, Harrison, Higginbotham, Jackson (F), Jackson (R), Kelley, Lee, Leonard, Lewis, Lockett, Lutz, McMillan, Manley, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Sandusky, Sasser, Shelton, Smith (J), Smith (M), Sparks, Tucker, Waggoner, Whatley and White.

—42

## MESSAGE FROM THE SENATE

## Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 38. To provide for the transfer to the Teachers' Retirement System of Alabama of all janitors, maids, cafeteria workers, and any other full time employees in public education covered under Section 12 of Act No. 515 of the 1945 Act, as amended, regardless of in what manner or on what basis paid; To provide for the eligibility and mandatory enrollment in the Teachers' Retirement System of Alabama of all persons hereafter assuming full time employment in public education; to provide for a six month period from the effective date of this Act in which any person in any of the aforementioned classifications who are not now members of the Employees' Retirement System under Section 12 of Act No. 515 of the 1945 Act, as amended, may decline to become a member of the Teachers' Retirement System by filing a written notice. Provide for credit of service prior to effective date of this Act for any persons in a hereinabove named classification who are not members of the Employees' Retirement System; And further to provide for necessary and proper appropriations to carry out the purpose of this Act.

## Also:

H. 40. To further amend Section 364 of Title 52 of the Code of Alabama 1940, as amended, which relates to credit for military service and to provide for necessary and proper appropriations to carry out the provisions of this Act.

## Also:

H. 1433. To regulate and promote the public health and to bring the laws of Alabama into conformity with PL-93-641, the "National Health Planning and Resources Development Act of 1974" (42 USC 300-k, et. seq.); designate the State Board of Health as the state health planning and development agency; authorizes the State Board of Health to develop and adopt a State Health Plan and a State Medical Facilities Plan, and do such functions that may be necessary to that purpose and to facilitate state health planning policy, augment area-wide and State planning for health services, manpower, and facilities; authorize the State Board of Health to administer the State's health care facility construction and development program; to promulgate and adopt rules, regulations and standards for the health planning and health care facilities construction and development programs. Part 1 of the Act designates the State Board of Health as the sole and official state planning and development agency; authorizes the State Board of Health to establish such internal bureaus and divisions, with professional staffs, as may be necessary to carry out the Act; and, authorizes and empowers the State Board of Health to adopt rules, regulations and standards governing health planning and health care facility construction, and to provide for fair hearings. Part 2 designates the State Board of Health as the sole and official state agency to prepare and adopt a State Health Plan; establishes and sets forth the membership and powers of a Statewide Health Coordinating Council; defines the functions of Health Services Agencies; authorizes the cooperation of the state officials and agencies; and authorizes the State Board of Health to receive and administer funds for health planning. Part 3 names the State Board of Health as the sole and official state agency to receive and administer funds for the health care facilities construction program; au-

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thorizes the State Board of Health to prepare and adopt a Medical Facilities Plan; authorizes the construction and operation of public hospitals and health centers; authorizes the State Board of Health to receive federal, state and other funds for hospital construction and to contract for health care facilities construction; authorizes the acquisition and disposition of property.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 1070. Relating to the 14th Judicial Circuit; to provide for an additional Circuit Judge in such Circuit; defining his jurisdiction, powers, rights and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

McDOWELL LEE,  
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Crawford, the rules were suspended in order to receive the amended bill, H. 1472, on the thirty-sixth legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1472. To further amend Section 5 of Act No. 21, H. 28, 1969 Extraordinary Session (Acts of 1969, p. 46; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 188 (5)), as amended, entitled "An Act To raise revenue; to levy a privilege or license tax against certain persons and utilities on account of the furnishing of certain utility services; to prescribe the rates thereof and exclusions therefrom; to provide for issuance of a utility license; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act;" so as to exclude gross sales and gross receipts derived from electricity used or consumed in a process for the isotopic enrichment of uranium and certain other uses.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

Mr. Crawford offered the motion that the House concur in and adopt the Senate amendment to the bill, H. 1472, said Senate amendment being as follows:

Amend H. 1472, page 3, line 25 by adding the following words before the period:

when said electricity is furnished by a subsidiary corporation of the corporation engaged in said isotopic enrichment of uranium

## SUBSTITUTE MOTION TO NON-CONCUR TABLED

On motion of Mr. Crawford, the substitute motion offered by Mr. Johnstone that the House non-concur in the Senate amendment to the bill, H. 1472, was tabled.

Yeas 65; Nays 14.

*Yeas:*

Mr. Speaker, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Drake, Edwards, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hines, Holley, Hopping, Jackson (F), Kinsey, Lee, Lewis, Lutz, McCulley, McNees, Manley, Martin, Mitchem, Moore (W), Owens, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—65

*Nays:*

Messrs.: Albright, Cates, Hall, Harrison, Johnstone, Jolly, Kennedy, LeFlore, Leonard, McMillan, Malone, Robertson, Taylor and Tucker.

—14

The question was then on the motion offered by Mr. Crawford that the House concur in and adopt the Senate amendment to the bill, H. 1472, and the motion was adopted.

Yeas 74; Nays 13.

*Yeas:*

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hines, Holley, Jackson (F), Jolly, Kelley, Kinsey, Lee, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—74

*Nays:*

Messrs.: Albright, Cates, Hall, Jackson (R), Johnstone, Kennedy, LeFlore, Leonard, Lewis, Malone, Smith (C), Taylor and Trammell.

—13

And the bill, H. 1472 as thus amended, was again read at length and passed.

Yeas 74; Nays 11.

*Yeas:*

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hines, Holley, Jackson (F), Jackson (R), Kelley, Killian, Kinsey, Lee, Lutz, McCluskey,



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McCulley, McMillan, Manley, Martin, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Turnham, Venable Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—74

*Nays:*

Messrs.: Cates, Hall, Harrison, Hilliard, Johnstone, Kennedy, Leonard, Lewis, Smith (C), Taylor and Tucker.

—11

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Crawford, the rules were suspended in order to receive the amended bill, H. 507, on the thirty-sixth legislative day.

MESSAGE FROM THE SENATE

**Mr. Speaker:**

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 507. To amend Section 5 of Act No. 37, H. 175, 1962 Extraordinary Session (Acts of 1962, p. 88; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 188 (14)), entitled "An Act To raise revenue; to levy an excise tax on account of the use, storage or consumption in the State of Alabama of certain utility services; to prescribe the rates thereof and exclusions therefrom; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act;" so as to exclude electricity used or consumed in the isotopic enrichment of uranium from taxation under the provisions of the act.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Mr. Crawford, the House concurred in and adopted the Senate amendment to the bill, H. 507, said Senate amendment being as follows:

In the title on line 19 and on line 20 and in Section 1 on line 32 and on line 33, strike out the figures "1962" and insert in lieu thereof in each of the above noted places the figures: 1969

Amend H. 507, page 3, line 24 by adding the following words before the period:

and when said electricity is purchased from a subsidiary corporation of the corporation engaged in the isotopic enrichment of uranium

Yeas 74; Nays 7.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Coburn, Crawford, Drake, Edwards, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hilliard, Hines, Holley, Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W),

Morris, Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—74

*Nays:*

Messrs.: Cates, Hall, Harrison, Johnstone, Kennedy, Leonard and Taylor.

—7

**And the bill:**

H. 507. To amend Section 5 of Act No. 37, H. 175, 1969 Extraordinary Session (Acts of 1969, p. 88; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 188 (14)), entitled "An Act To raise revenue; to levy an excise tax on account of the use, storage or consumption in the State of Alabama of certain utility services; to prescribe the rates thereof and exclusions therefrom; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act;" so as to exclude electricity used or consumed in the isotopic enrichment of uranium from taxation under the provision of the act.

As thus amended, was again read at length and passed.

Yeas 84; Nays 7.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Hilliard, Hines, Holley, Howard, Jackson (F), Jackson (R), Jolly, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—84

*Nays:*

Messrs.: Cates, Hall, Johnson, Johnstone, Kennedy, Leonard and Taylor.

—7

#### MESSAGE FROM THE GOVERNOR

To the House of Representatives

State Capitol

Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a Message from the Governor concerning House Bill Number 1917, and containing suggested Executive Amendments.

Respectfully Submitted,

HENRY B. STEAGALL, II,  
Executive Secretary.

Done This 9th Day of October, 1975.

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To the House of Representatives  
State Capitol

Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 1917 without my signature and approval and with the following suggested Executive Amendments.

It is my suggestion that you amend the title by deleting the words "and approve" where the same appears on page 1, line 25.

It is my further recommendation that you amend Section 1 by deleting the word "approval" on page 2, line 24, and substituting in lieu thereof the word "consideration".

It is my further suggestion that you amend Section 3 (a) on page 4, line 7, by deleting the words "and approve"; and also striking the word "approve", where the same appears on line 11 of said subsection, and substituting in lieu thereof the word, "recommend".

I further suggest that you amend Section 3 (c) by deleting the words "and approve", where the same appears on line 17, page 4; and also strike the word "approved" where the same appears on line 19 of said subsection, and substitute in lieu thereof the word "reviewed".

I also suggest that you amend Section 3 (d) by deleting, in its entirety, the first sentence of said subsection beginning on line 21, and ending on line 24 of page 4.

I recommend that you amend Section 3 (e) by striking the words "appropriate committees of the Senate and the House of Representatives" where the same appears on line 29, page 4, and substituting in lieu thereof the word "Governor".

The adoption of the above and foregoing Executive Amendments will remove my objections to this bill.

Respectfully,

GEORGE C. WALLACE,  
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Biddle, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1917, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Hopping, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton,

Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Waggoner, Warren, Weeks, Whatley, White Williams and Wyatt.

—86

And the bill:

H. 1917. To provide for creation of a permanent joint highway committee of the Legislature to facilitate and coordinate a long-range program of highway development in the state, to empower said committee to review and approve long-range (20-year) highway development plans, review annual plans for highway construction, modification, maintenance and administration and annual budgets for the State Highway Department, which plans and budgets shall be submitted to said committee by the State Highway Department; to empower said committee to review priorities for all highway construction and modification projects under jurisdiction of the State Highway Department, to inspect performance of state highway functions, to conduct hearings, call witnesses and employ consultants, and to do all things necessary or desirable in connection with and incidental to the foregoing functions, and to require that all highway legislation be referred to said committee for its recommendations and approval.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—87

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Cooper, the rules were suspended in order to receive the amended bill, H. 638, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 638. An act relating to the development of small businesses; declaring the legislative intent to encourage state purchases from small businesses; requiring the Alabama Development office to assist small businesses and to otherwise coordinate activities relating thereto; providing that a meaningful percentage of state purchases and contracts be procured from small businesses; providing for interagency cooperation;

providing for public hearings; requiring an annual report; authorizing appointment of an advisory council; providing an effective date.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Mr. Cooper, the House concurred in and adopted the Senate amendment to the bill, H. 638, said Senate amendment being as follows:

Amend House Bill 638 by deleting the words wherever they appear and insert in lieu thereof the words Department of Industrial Relations office.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Howard, Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Mitchem, Moore (W), Morris, Naramore, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—83

And the bill:

H. 638. An act relating to the development of small businesses; declaring the legislative intent to encourage state purchases from small businesses; requiring the Department of Industrial Relations office to assist small businesses and to otherwise coordinate activities relating thereto; providing that a meaningful percentage of state purchases and contracts be procured from small businesses; providing for interagency cooperation; providing for public hearings; requiring an annual report; authorizing appointment of an advisory council; providing an effective date.

As thus amended, was again read at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White Williams and Wyatt.

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## RESOLUTION

The following resolution was introduced:

By Mr. Glass:

H. J. R. 440. URGING THE ELIMINATION OF THE AUTOMATIC FUEL ADJUSTMENT ADD-ON ON UTILITY BILLS.

WHEREAS, the House of Representatives of the United States Congress has recently spoken on the question of the automatic fuel adjustment pass-on now authorized for use by utilities in billing their customers, and condemned the practice of allowing this addition to utility bills, saying that it is unfair to the customer and unnecessary as a means of adjusting utility rates; and

WHEREAS, the automatic fuel adjustment pass-on has accounted for two-thirds of the eight-billion-dollar increase in recent years in the price of electricity; and

WHEREAS, the fact that a utility can automatically add the increased cost of fuel to a customer's bill effectively removes the normal incentive for the utility to endeavor to keep its fuel costs down; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the Alabama House of Representatives notes with approval the statements made by the House of Representatives of the United States relative to this outrageous practice of allowing an automatic add-on to utility rates, which have heretofore been specifically fixed by the Alabama Public Service Commission; that this House believes that the elimination of this pass-on will be a tremendous help to the working men and women of Alabama; that this House recognizes the efforts of Alabama Public Service Commissioner Jim Zeigler to abolish the automatic fuel adjustment pass-on and hereby encourages the other two members of the Public Service Commission to join Mr. Zeigler in voting to abolish the automatic fuel adjustment add-on in Alabama.

On motion of Mr. Glass, the rules were suspended and the resolution, H. J. R. 440, was adopted.

## MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Crowe to suspend the rules in order to receive the amended bill, H. 1567, from the Senate was lost.

Yeas 21; Nays 55.

## Yeas:

Messrs.: Albright, Boles, Coburn, Ford, Goodwin, Greer, Hill, Hines, Hopping, Howard, Jackson (R), Kelley, Killian, Lee, McNair, McNees, Naramore, Plaster, Porter, Robertson and Sparks.

—21

## Nays:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Crawford, Cross, Crowe, Dial, Drake, Folmar, Glass, Hall, Harris, Higginbotham, Johnstone, Kennedy, Kinsey, Leonard, Lockett, McCluskey, McCulley, McMillan, Malone, Manley, Martin, Moore (W), Pegues, Riddick, Roberts, Sandusky, Sasser,

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Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—55

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 616. To provide that the annual sessions of the legislature shall commence on the last Tuesday in March of each of the first three years of the term of office of the legislature and on the third Tuesday in January of the fourth year of said term.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. King, Baker and Little.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Mr. Smith (M), the House acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 616.

And the Speaker named as a Committee on Conference on the part of the House, Messrs. Smith (B), Carothers and Smith (M).

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Dial, Drake, Edwards, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Hopping, Howard, Jackson (R), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, Malone, Manley, Martin, Mitchem, Moore (W), Morris, Pegues, Plaster, Porter, Quarles, Reed, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (C), Smith (M), Sonnier, Sparks, Starkey, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—74

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Crowe, the rules were suspended in order to receive the amended bill, H. 334, on the thirty-sixth legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 334. To authorize the sale and issuance of not exceeding \$9,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including security medical facilities for persons

requiring security during treatment, and a seed technology center and a seed processing facility; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds therefrom.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Crowe, the House concurred in and adopted the Senate amendment to the bill, H. 334, said Senate amendment being as follows:

Amend House Bill No. 334 Page 1 Line 25, by striking the caption in its entirety and substituting in lieu thereof the following:

"To authorize the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including security medical facilities for persons requiring security during treatment, and a seed technology center and a seed processing facility and for the purpose of acquiring, constructing, and equipping a facility or facilities for the housing, training, education or rehabilitation of prisoners; to pledge the full faith and credit of the state for payment of the principal of an interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds therefrom."

Amend House Bill No. 334 Page 2 Line 15, by striking the figure \$9,000,000 and inserting the figure \$15,000,000.

Amend House Bill No. 334 Page 7 Line 23, by adding the following new section 10 to said substitute and by renumbering the remaining sections of said substitute in correct sequence thereafter;

"Section 10. The expenses of issuance of the bonds shall be prorated among the recipients of the proceeds of the sale of the bonds in the proportions of the bonds received by each recipient.

Each building constructed wholly or in part with any portion of the proceeds of the bonds shall be constructed pursuant to plans and specifications approved by the Technical Staff of the Building Commission, or any agency that may be designated by the Legislature as its successor, and the costs of architectural and supervisory services shall be construed to constitute construction costs."

Amend House Bill No. 334 Page 7 Line 19, by adding the following new section 9 to said substitute and by renumbering the remaining sections of said substitute in correct sequence thereafter;

"Section 9. The proceeds derived from the sale of the bonds in the amount of six million dollars (\$6,000,000) shall be placed into the State Treasury and after payment therefrom on order of the Commission of the pro rata share of the expenses incidental to the authorization, preparation and issuance of the bonds, the balance remaining shall be disbursed on order of the Board of Corrections of the State of Alabama solely for the purpose of acquisition, construction and equipment of capital improve-



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ments, including, without limitation a facility or facilities for the housing, training, education or rehabilitation of prisoners."

**Yeas 70; Nays 0.**

**Yeas:**

Mr. Speaker, Baker, Barron, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Drake, Edwards, Folmar, Ford, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Hopping, Howard, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (W), Morris, Naramore, Pegues, Plaster, Porter, Quarles, Reed, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (C), Smith (M), Sonnier, Sparks, Taylor, Teague Venable, Warren, Whatley, Williams and Wyatt.

—70

**And the bill:**

H. 334. To authorize the sale and issuance of not exceeding \$15,000,-000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including security medical facilities for persons requiring security during treatment, and a seed technology center and a seed processing facility and for the purpose of acquiring, constructing, and equipping a facility or facilities for the housing, training, education or rehabilitation of prisoners; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds therefrom.

As thus amended, was again read at length and passed.

**Yeas 86; Nays 0.**

**Yeas:**

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hines, Hopping, Howard, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, Williams and Wyatt.

—86

**MOTION TO SUSPEND RULES ADOPTED**

On motion of Mr. Crowe, the rules were suspended in order to receive the amended bill, H. 335, on the thirty-sixth legislative day.

**MESSAGE FROM THE SENATE**

**Mr. Speaker:**

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 335. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding a total of \$9,000,000 principal amount of General Obligation Bonds of the State of Alabama of which \$7,000,000 shall be for the acquisition, construction, equipment and improvement of mental health facilities, including security medical facilities for persons requiring security during treatment, and \$2,000,000 shall be for the acquisition, construction, equipment and improvement of a seed technology center and a seed processing facility.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Crowe, the House concurred in and adopted the Senate amendment to the bill, H. 335, said Senate amendment being as follows:

Amend House Bill No. 335 Page 2 Line 22, by inserting after the following on line 22 "and a foundation seed processing facility at Headland, Alabama," the following sentence "Of the proceeds derived from the sale of said bonds \$6,000,000 shall be used for the purpose of paying the interest incurred in the sale and issuance of said bonds and for acquisition, construction and equipment of capital improvements, including, without limitation a facility or facilities for the housing, training, education and rehabilitation of prisoners."

Amend House Bill No. 335 Page 2 Line 5, by striking from Section 1 thereof the figure \$9,000,000 and inserting in lieu thereof the figure \$15,000,000.

Amend Substitute for H. B. 335, Page 1, Line 25, by striking from the Caption the figure \$9,000,000.00 and inserting in lieu thereof the figure \$15,000,000.00.

Amend House Bill No. 335 Page 1 Line 32, by striking the period at the end of the caption and by adding a comma and thereafter the following words "and \$6,000,000 shall be for the acquisition, construction and equipment of capital improvements, including, without limitation a facility or facilities for the housing, training, education or rehabilitation of prisoners."

Amend Substitute for H. B. 335, Page 1, Line 25, by striking from the Caption the figure \$9,000,000.00 and inserting in lieu thereof the figure \$15,000,000.00.

Yeas 78; Nays 0.

#### Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Boles, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Hopping, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Moore (W), Morris, Naramore, Pegues, Plaster, Porter, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

And the bill:

H. 335. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding a total of \$15,000,000.00 principal amount of General Obligation Bonds of the State of Alabama of which \$7,000,000 shall be for the acquisition, construction, equipment and improvement of mental health facilities, including security medical facilities for persons requiring security during treatment, and \$2,000,000 shall be for the acquisition, construction, equipment and improvement of a seed technology center and a seed processing facility, and \$6,000,000 shall be for the acquisition, construction and equipment of capital improvements, including, without limitation a facility or facilities for the housing, training, education, or rehabilitation of prisoners.

As thus amended, was again read at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Callahan, Campbell, Carothers, Cates, Clark, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Hopping, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Moore (W), Morris, Naramore, Pegues, Plaster, Porter, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Williams and Wyatt.

—77

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Crawford, the rules were suspended in order to receive the amended bill, H. 1183, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1183. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations for the purposes of making certain local survey incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by

the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

McDOWELL LEE,  
Secretary.

### SENATE MESSAGE

On motion of Mr. Crawford, the House concurred in and adopted the Senate amendment to the bill, H. 1183, said Senate amendment being as follows:

Amend House Bill No. 1183 Page 1 Lines 31-34, by striking out after the word "state;" the following: "to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds;"

Yeas 72; Nays 2.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Campbell, Carothers, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Hopping, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNeese, Manley, Martin, Mitchem, Moore (W), Naramore, Pegues, Plaster, Porter, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Tucker, Turnham, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

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Nays: Messrs.: Jackson (F), and Owens.

—2

And the bill:

H. 1183. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the

bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

As thus amended, was again read at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Callahan, Campbell, Carothers, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Folmar, Ford, Glass, Goodwin, Greer, Hall, Harris, Higginbotham, Hill, Hines, Holley, Hopping, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Shelton, Smith (B) Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—80

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Crowe, the rules were suspended in order to receive the amended bill, H. 1764, on the thirty-sixth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1764. To amend Section 46 of Act No. 414, Acts of Alabama of 1959, page 1073, known as the "Alabama Business Corporation Act," by adding at the end of the second paragraph thereof the following: "Provided, however, if a corporation is engaged in the business of banking, its books and records of account and minutes relating to the private financial affairs of borrowers and depositors shall not be subject to examination by such a stockholder or by his agent or attorney in the absence of an order of a court of competent jurisdiction, after inspection of such books and records of account and minutes in camera, that such examination is necessary; and said order shall be subject to review in the Supreme Court of Alabama on writ of mandamus. Provided further that if a corporation is engaged in the business of banking, its said books and records of account and minutes shall be deemed not to include any reports of examination by state or federal supervisory agencies"; to provide that the provisions of this act are severable; and to provide an effective date.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Crowe, the House concurred in and adopted the Senate amendment to the bill, H. 1764, said Senate amendment being as follows:

Amend H. B. 1764 as follows:

On page 2, line 27, between the words "depositors" and "shall" insert the following:

who are neither officers, directors or employees of the bank nor who are related to or engaged in business with an officer, director or employee.

Yeas 83; Nays 1.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hines, Holley, Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Porter, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—83

*Nay:* Mr. Killian.

—1

And the bill, H. 1764 as thus amended, was again read at length and passed.

Yeas 80; Nays 1.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Ford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Holley, Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—80

*Nay:* Mr. Killian.

—1

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Drake, the rules were suspended in order to receive the amended bill, H. 616, on the thirty-sixth legislative day.

Yeas 56; Nays 14.

*Yeas:*

Mr. Speaker, Albright, Callahan, Campbell, Carter, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Folmar, Glass, Goodwin, Greer, Hill, Hines, Holmes, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kinsey, Lee, LeFlore, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Morris, Naramore, Owens, Pegues,

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Plaster, Quarles, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (J), Sparks, Starkey, Tucker, Turnham, Venable, Warren and Wyatt.

—56

*Nays:*

Messrs.: Gregg, Harris, Harrison, Higginbotham, Holley, Kennedy, Killian, Leonard, Lewis, Moore (W), Porter, Sasser, Weeks and Whatley.

—14

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 616. To provide for a retirement system for the sheriffs of the various counties within the state.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Mr. Drake, the House concurred in and adopted the Senate amendment to the bill, H. 616, said Senate amendment being as follows:

In Section 5, add at the end thereof the following:

Provided that in the event that an elected official's retirement system should hereafter be established by law, any official elected after the establishment of such retirement system who otherwise would have been covered by the provisions of this act shall automatically be subject to the provisions of such retirement system as a matter of law.

Add on Page 2 at the end of Section 4, the following sentence: "However, this act is permissive in nature and the governing body of said county may decline to make such payments. In such event the full amount of any contributions made shall be paid back to the eligible sheriff."

Amend House Bill No. 616 Page One Line 19, by doing the following:

Add the words "as former sheriff" after the word "sheriff" on line 19 of page one.

Amend Section 6 as amended of House Bill 616 as follows:

Change the period following the figures "300,000" to a comma "," and add the following:

"nor those counties having a population of 90,000 to 100,000."

Yeas 66; Nays 3.

*Yeas:*

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Callahan, Campbell, Carter, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Glass, Goodwin, Greer, Harris, Hill, Hines, Holley, Holmes, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lee,

LeFlore, Lewis, Lockett, Lutz, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Morris, Naramore, Owens, Pegues, Quarles, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Starkey, Teague, Turnham, Venable, Waggoner, Warren, Weeks, Williams and Wyatt.

—66

*Nays:* Messrs.: Gregg, Hilliard and Whatley.

—3

And the bill, H. 616 as thus amended, was again read at length and passed.

Yeas 70; Nays 6.

*Yeas:*

Mr. Speaker, Albright, Baker, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Glass, Goodwin, Greer, Hill, Hines, Holley, Holmes, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Martin, Mitchem, Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Starkey, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Williams and Wyatt.

—70

*Nays:*

Messrs.: Gregg, Harrison, Higginbotham, Hilliard, Leonard and Whatley.

—6

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 627. To amend Section 14 of Act No. 247, H. 512, Special Session of 1932 (Local Acts of Alabama, Special Session of 1932, p. 98), which act provides for a jury board in Jefferson County so as to allow persons not under twenty-one years and not over seventy years of age to serve as jurors in said county.

said Governor's Message being in words and figures as follows, to-wit:

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor concerning Senate Bill Number 627, and containing suggested Executive Amendments.

Respectfully submitted,  
HENRY B. STEAGALL, II,  
Executive Secretary.

Done This 9 Day of October, 1975.



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To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill Number 627 without my signature and approval and with the following suggested Executive Amendment.

It is my suggestion that you amend Senate Bill Number 627 by deleting Section 14 in its entirety and substituting in lieu thereof the following:

"Section 14. The Jury Board shall place on the jury roll and in the jury box the names of all citizens of the County who are generally reputed to be honest and intelligent and are esteemed in the community for their integrity, good character and sound judgment; but no person must be selected who is under nineteen or over seventy years of age. Any person who is an habitual drunkard, or who, being afflicted with a permanent disease or physical weakness, is unfit to discharge the duties of a juror, or cannot read English, or who has ever been convicted of any offense involving moral turpitude shall not be eligible for jury duty. If a person cannot read English and has all the other qualifications prescribed herein and is a freeholder or householder, his name may be placed on the jury roll and in the jury box."

The adoption of the above and foregoing Executive Amendments will remove my objections to the bill.

Respectfully,

GEORGE C. WALLACE,  
Governor.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 627, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 0.

And said Bill, S. B. 627, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 0.

And said Bill, S. B. 627, together with the Executive Amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Mr. Armstrong, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 627, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Albright, Barron, Biddle, Callahan, Campbell, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Folmar, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R),

Johnstone, Jolly, Kelley, Kennedy, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McMillan, Mitchem, Naramore, Owens, Plaster, Porter, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Teague, Tucker, Turnham, Venable, Waggoner, Weeks, Whatley, Williams and Wyatt.

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**And the bill:**

S. 627. To amend Section 14 of Act No. 247, H. 512, Special Session of 1932 (Local Acts of Alabama, Special Session of 1932, p. 98), which act provides for a jury board in Jefferson County so as to allow persons not under twenty-one years and not over seventy years of age to serve as jurors in said county.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 72; Nays 0.

**Yeas:**

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carter, Cates, Clark, Cooper, Cross, Crowe, Dial, Drake, Folmar, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McMillan, Manley, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Porter, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Teague, Turnham, Venable, Waggoner, Weeks, Whatley, Williams and Wyatt.

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**MESSAGE FROM THE SENATE**

**Mr. Speaker:**

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Mitchell:

**S. J. R. 162. CREATING THE INTERIM FIREFIGHTERS PENSION FUND COMMITTEE.**

**WHEREAS**, there is a need to examine alternatives for funding firefighters pensions; and

**WHEREAS**, the Legislature of Alabama requires an in-depth study in order to fully comprehend the problems involved with Firefighters Pension Fund; now therefore

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING**, That the Interim Firefighters Pension Fund Committee be established as herein provided for:

A. The Committee shall consist of 9 members; three members shall be appointed from the Alabama House of Representatives by the Speaker; three members shall be appointed from the Senate by the Lieutenant Governor; and three members shall be firefighters, one of whom shall be the executive secretary of the firefighters' association, or his designee, one the president of the association or his designee, and one elected by the membership of the association.

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B. The members of said committee shall choose a chairman and vice-chairman who shall preside over the meetings and shall be responsible for making the committee's recommendations to the Legislature no later than the fifth legislative day of the 1976 Regular Session, at which time the committee's duties shall terminate.

C. Each legislative member of the Committee shall be entitled to receive his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the Committee which shall be paid out of any funds appropriated to the use of the Legislature, on warrants drawn on the state comptroller upon requisition signed by the committee's chairman, and the committee may employ a clerical stenographer or secretary which employee shall be paid from the regular Legislative appropriation as provided in Title 32, Section 13, Code of Alabama, 1940, as amended.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 162, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you, a Message from the Governor relative to House Bill Number 1075, and containing a suggested Executive Amendment.

Respectfully submitted,  
HENRY B. STEAGALL, II,  
Executive Secretary.

Done This 9th Day of October, 1975.

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Lady and Gentlemen:

At the request of the sponsor, I am returning to you, the Body in which it originated, House Bill Number 1075 without my signature and approval and with the following suggested Executive Amendment.

It is suggested that you amend House Bill Number 1075 by amending Section 1 by deleting the words "including Phalaynges and Metatarsals" where said words appear following the words "but not the tarsels".

The adoption of the above and foregoing suggested Executive Amendment will remove my objections to this bill.

Respectfully,  
GEORGE C. WALLACE,  
Governor.

## GOVERNOR'S MESSAGE

On motion of Mr. Sonnier, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1075, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 63; Nays 0.

## Yeas:

Mr. Speaker, Baker, Barron, Callahan, Campbell, Cates, Clark, Cooper, Crowe, Drake, Edwards, Folmar, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Sonnier, Sparks, Starkey, Taylor, Teague, Tucker, Turnham, Venable, Warren, Whatley, Williams and Wyatt.

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## And the bill:

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 Acts 1967, p. 1586).

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 63; Nays 0.

## Yeas:

Mr. Speaker, Baker, Barron, Callahan, Campbell, Cates, Clark, Crawford, Drake, Edwards, Folmar, Greer, Gregg, Harris, Higginbotham, Hill, Hilliard, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Sonnier, Sparks, Starkey, Taylor, Teague, Tucker, Turnham, Venable, Warren, Weeks, Whatley, Williams and Wyatt.

—63

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

## Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 383. To provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services of Chiropractors.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

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SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama  
Lady and Gentlemen:

I herewith transmit to you a Message from the Governor relative to House Bill Number 919.

Respectfully submitted,  
HENRY B. STEAGALL, II,  
Executive Secretary.

Done This 9th Day of October, 1975.

To the House of Representatives  
State Capitol  
Montgomery, Alabama  
Lady and Gentlemen:

At the request of the sponsor, I am returning to you, the Body in which it originated, House Bill Number 919 without my signature and approval.

Respectfully,  
GEORGE C. WALLACE,  
Governor.

GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 919. To create an additional judgeship for the Sixth Judicial Circuit of Alabama and provide for the election, term, compensation, powers, duties and authority of such judge.

On motion of Mr. Robertson, the bill, H. 919, was again read at length, and the House refused to pass said bill over the veto of the Governor.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carter, Cates, Clark, Coburn, Crawford, Crowe, Dial, Drake, Edwards, Folmar, Gafford, Goodwin, Greer, Hall, Harris, Higginbotham, Hill, Holley, Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Sonnier, Sparks, Starkey, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Williams and Wyatt.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 1917. To provide for creation of a permanent joint highway committee of the Legislature to facilitate and coordinate a long-range program of highway development in the state, to empower said committee to review long-range (20-year) highway development plans, review annual plans for highway construction, modification, maintenance and administration and annual budgets for the State Highway Department, which plans and budgets shall be submitted to said committee by the State Highway Department; to empower said committee to review priorities for all highway construction and modification projects under jurisdiction of the State Highway Department, to inspect performance of state highway functions, to conduct Hearings, call witnesses and employ consultants, and to do all things necessary or desirable in connection with and incidental to the foregoing functions, and to require that all highway legislation be referred to said committee for its recommendations and approval.

by a majority of the whole number elected to the Senate, said vote being Yeas 18, Nays 0.

And said Bill, H. B. 1917, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 18, Nays 0.

And said Bill, H. B. 1917, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,  
Secretary.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Robertson, the rules were suspended in order to bring up out of order on the Special Order Calendar the bill, S. 382.

And the bill:

S. 382. To authorize the establishment of a security medical facility under the jurisdiction of the Alabama Mental Health Board; to establish sources and procedures for admission to said facility; and to provide for the charges for the cost of treatment.

Was read a third time at length and passed.

Yeas 70; Nays 1.

Yeas:

Mr. Speaker, Baker, Callahan, Campbell, Carter, Cates, Clark, Coburn, Cooper, Crawford, Drake, Edwards, Folmar, Ford, Goodwin, Greer, Hall, Harris, Harrison, Higginbotham, Hill, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lutz, McCluskey, McCulley, McMillan, McNeas, Manley, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Starkey, Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Williams and Wyatt.

—70

Nay: Mr. Barron.

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RESOLUTION

The following resolution was introduced:

By Mr. Smith (B):

H. J. R. 441. CREATING A JOINT INTERIM STUDY COMMITTEE TO STUDY LAWS PERTAINING TO THE RULES OF THE ROAD AND VEHICULAR TRAFFIC.

WHEREAS, there is a great need for a joint interim committee to study laws pertaining to the rules of the road and vehicular traffic in this State; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a Joint Interim Committee to be composed of 4 members of the House and 4 members of the Senate to be appointed by the presiding officer of each House. The members of the committee shall elect from among their membership a chairman and vicechairman. The committee shall study all facets, problems, and details of laws which pertain to the rules of the road and vehicular traffic in the State of Alabama. Upon the request of the Chairman, the Secretary of the Senate and the Clerk of the House shall provide such secretarial assistance as is necessary for the committee work. The committee shall limit its meetings to no more than 15 days. The committee shall report its findings, conclusions and recommendations to the legislature not later than the 10th Legislative day of the 1976 Regular Session, whereupon the committee shall be dissolved. Each member of the committee shall be entitled to his regular legislative compensation, per diem and travel expenses only on those days he actually attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, on warrants drawn upon the State Comptroller upon requisition signed by the committee chairman.

MOTION TO SUSPEND RULES AND ADOPT

Mr. Smith (B) offered the motion to suspend the rules and adopt the resolution, H. J. R. 441.

DIVISION OF QUESTION ADOPTED

The motion offered by Mr. Wyatt for the Division of the Question was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion offered by Mr. Smith (B) to suspend the rules in order to bring up for immediate consideration the resolution, H. J. R. 441, was adopted.

Yeas 20; Nays 3.

Yeas:

Mr. Speaker, Brindley, Callahan, Greer, Hill, Holmes, Hopping, Kennedy, Kinsey, LeFlore, McCulley, McMillan, Martin, Naramore, Roberts, Sandusky, Sasser, Shelton, Sonnier and Whatley.

—20

Nays: Messrs. Higginbotham, Turnham and Wyatt.

—3

## RESOLUTION ADOPTED

On motion of Mr. Smith (B), the resolution, H. J. R. 441, was adopted.

Yeas 35; Nays 1.

## Yeas:

Mr. Speaker, Brindley, Callahan, Crawford, Cross, Dial, Drake, Folmar, Greer, Hall, Hill, Hines, Holmes, Hopping, Johnstone, Kinsey, Lutz, McCulley, McMillan, McNees, Martin, Naramore, Rich, Roberts, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Taylor, Turnham, Whatley and Williams.

—35

Nay: Mr. Wyatt.

—1

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

## SPECIAL ORDER RESUMED

## And the bill:

S. 525. To amend Section 8 of Act No. 1277, H. 1345, 1973 Regular Session (Acts of 1973, p. 2181), entitled "An Act To authorize Alabama Public School and College Authority to sell and issue one hundred seventy-nine million, nine hundred twenty-one thousand dollars (\$179,921,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, including colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority of Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof," so as to provide further for the use and distribution of the bond proceeds.



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Was read a third time at length and passed.

Yeas 40; Nays 0.

**Yeas:**

Mr. Speaker, Baker, Cates, Cooper, Crawford, Dial, Drake, Edwards, Folmar, Greer, Hall, Harris, Higginbotham, Hill, Holley, Hopping, Jackson (F), Johnstone, Kelley, Kennedy, Kinsey, LeFlore, Lockett, McCulley, McMillan, Mitchem, Moore (O), Naramore, Plaster, Reed, Rich, Sandusky, Sasser, Shelton, Sparks, Turnham, Venable, Waggoner, Whatley and Williams.

—40

**PRESENCE OF A QUORUM ASCERTAINED**

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

**And the bill:**

S. 635. To amend Section 224, Article 12 of the Constitution of 1901, so as to raise the debt limit to provide that no county shall become indebted in an amount including present indebtedness, greater than five percentum of the assessed value of the property therein.

Was read a third time at length and passed.

Yeas 80; Nays 0.

**Yeas:**

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Holley, Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNeese, Malone, Manley, Martin, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Porter, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Whatley, White, Williams and Wyatt.

—80

**MOTION TO SUSPEND RULES ADOPTED**

On motion of Mr. Morris, the rules were suspended in order to bring up out of order on the Special Order Calendar, the bill, S. 668.

**And the bill:**

S. 668. To amend Act No. 116, Acts of Alabama 1969 Regular Session, page 2054, approved September 12, 1969 entitled: Relating to crimes and offenses; defining certain crimes relative to credit cards, including offenses relative to obtaining, possessing, using, dealing in, forging, signing and providing goods and services upon presentation of a credit card; prescribing certain presumptions and proscribing certain defenses relative to the crimes hereby defined; prescribing penalties; and providing that this act is cumulative.

Was read a third time at length and passed.

Yeas 74; Nays 0.

**Yeas:**

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Dial, Drake, Edwards, Folmar, Gafford, Glass, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Holley, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (C), Smith (M), Sonnier, Taylor, Teague, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—74

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Lutz, the rules were suspended in order to bring up out of order the bill, S. 660, on the Special Order Calendar.

**And the bill:**

**S. 660.** A bill relating to the practice of Veterinary medicine and surgery which provides for permits to veterinarians for animal technicians; for the examination and registration of animal technicians; for the payment of examination and registration fees; and which prescribes penalties for violation of the Act; and further providing annual educational requirements for veterinarians with exceptions for certain licensees; and further by amending Section 18 of Act No. 945 of the Regular Session of the Legislature 1951, which relates to the expenses of the Board members.

**Was read a third time at length and passed.**

Yeas 78; Nays 0.

**Yeas:**

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Crawford, Cross, Dial, Drake, Edwards, Folmar, Gafford, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hines, Holley, Hopping, Howard, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (M), Sonnier, Sparks, Taylor, Teague, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—78

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Sonnier, the rules were suspended in order to bring up out of order on the Special Order Calendar the bill, S. 688.

Yeas 51; Nays 0.

**Yeas:**

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Callahan, Carter, Crawford, Cross, Dial, Edwards, Folmar, Gafford, Gregg, Higginbotham, Hill, Hines, Johnson, Johnstone, Kelley, Kennedy, Kinsey,

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LeFlore, Leonard, Lewis, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Mitchem, Moore (O), Moore (W), Morris, Naramore, Plaster, Quarles, Roberts, Robertson, Sandusky, Shelton, Sonnier, Teague, Turnham, Venable, Waggoner, Warren, White and Williams.

—51

**PRESENCE OF A QUORUM ASCERTAINED**

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 688. To provide for the creation of a Criminal Justice Advisory Commission; to provide for the membership and function of the Commission; and to make an appropriation to defray the expenses of the Commission.

Was read a third time at length and passed.

Yeas 76; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cooper, Crawford, Cross, Dial, Edwards, Folmar, Ford, Gafford, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hines, Holley, Hopping, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Malone, Manley, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (C), Sonnier, Sparks, Taylor Teague, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—76

Nay: Mr. McNair.

—1

**MOTION TO RECONSIDER**

Having voted on the prevailing side, Mr. Robertson offered the motion to reconsider the bill, S. 696 as amended on the thirty-fifth legislative day.

**MOTION TO TABLE LOST**

The motion offered by Mr. Martin to table the motion to reconsider offered by Mr. Robertson, was lost.

Yeas 26; Nays 30.

Yeas:

Messrs.: Armstrong, Baker, Barron, Biddle, Callahan, Falkenburg, Gafford, Gregg, Higginbotham, Hill, Jackson (R), Jolly, Kennedy, Kinsey, Lutz, McMillan, Malone, Martin, Naramore, Reed, Roberts, Sandusky, Smith (B), Sonnier, Waggoner, and White.

—26

Nays:

Messrs.: Andrews, Brindley, Cates, Clark, Crawford, Folmar, Ford, Greer, Hall, Harris, Holley, Hopping, Howard, Johnson, Johnstone, Kelley,

Killian, Lee, McNees, Mitchem, Moore (O), Plaster, Porter, Robertson, Sasser, Sparks, Taylor, Venable, Whatley and Wyatt.

—30

#### MOTION TO RECONSIDER ADOPTED

The question was then on the motion offered by Mr. Robertson to reconsider the bill, S. 696 as amended, and the motion was adopted.

And the bill:

S. 696. Relating to the commitment of mentally ill persons to the custody of the State Department of Mental Health; prescribing the procedures for the involuntary commitment of mentally ill persons, prescribing the duties and responsibilities of all persons and departments concerned with the commitment of mentally ill persons; providing for the rights of persons sought to be committed as mentally ill; providing for the payment of costs of proceedings for the commitment of mentally ill persons; providing for appeal to circuit court by persons committed as mentally ill; prescribing the jurisdiction of the probate court in regard to persons committed as mentally ill; providing for the transfer of mentally ill persons to facilities operated by the United States; and repealing conflicting laws.

Was again taken up.

#### MOTION TO RECONSIDER ADOPTED

Mr. Robertson offered the motion to reconsider the amendment No. 1 reported by the Standing Committee on Health to the bill, S. 696, and the motion was adopted.

Yeas 70; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Cates, Clark, Coburn, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Harris, Higginbotham, Hill, Holley, Hopping, Howard, Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McMillan, McNair, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Taylor, Venable, Waggoner, Whatley, White, Williams and Wyatt.

—70

#### MOTION TO RECONSIDER ADOPTED

Mr. Robinson offered the motion to reconsider the amendment No. 2 reported by the Standing Committee on Health to the bill, S. 696, and the motion was adopted.

Yeas 73; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Cates, Clark, Coburn, Crawford, Cross, Crowe, Edwards, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Harris, Higginbotham, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees,

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Manley, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Taylor, Trammell, Venable, Waggoner, Warren, Whatley, White and Wyatt.

—73

MOTION TO RECONSIDER ADOPTED

Mr. Robertson offered the motion to reconsider the amendment No. 3 reported by the Standing Committee on Health to the bill, S. 696, and the motion was adopted.

Yeas 78; Nays 1.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Cates, Clark, Coburn, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Manley, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Taylor, Trammell, Venable, Waggoner, Warren, Whatley, White and Wyatt.

—78

Nay: Mr. Martin.

—1

MOTION TO RECONSIDER ADOPTED

Mr. Robertson offered the motion to reconsider the amendment offered by Mr. Martin to the bill, S. 696, and the motion was adopted.

Yeas 77; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Brindley, Callahan, Campbell, Cates, Clark, Coburn, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Harris, Harrison, Higginbotham, Hill, Hines, Holley, Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Taylor, Trammell, Venable, Waggoner, Warren, Whatley, White and Wyatt.

—77

AMENDMENT TABLED

On motion of Mr. Robertson, the amendment No. 1 reported by the Standing Committee on Health to the bill, S. 696, was tabled.

Yeas 78; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping,

Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Taylor, Trammell, Venable, Waggoner, Warren, Whatley, White and Wyatt.

—78

## AMENDMENT TABLED

On motion of Mr. Robertson, the amendment No. 2 reported by the Standing Committee on Health to the bill, S. 696, was tabled.

Yeas 78; Nays 0.

## Yeas:

Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Taylor, Trammell, Venable, Waggoner, Warren, Whatley, White, and Wyatt.

—78

## AMENDMENT TABLED

On motion of Mr. Robertson, the amendment No. 3 reported by the Standing Committee on Health to the bill, S. 696, was tabled.

Yeas 78; Nays 0.

## Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Taylor, Trammell, Venable, Waggoner, Warren, Whatley, White and Wyatt.

—78

## AMENDMENT TABLED

On motion of Mr. Robertson, the amendment offered by Mr. Martin to the bill, S. 696, was tabled.

Yeas 78; Nays 0.

## Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin,

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Greer, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Taylor, Trammell, Venable, Waggoner, Warren, Whatley, White and Wyatt.

—78

MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a Message from the Governor relative to House Bill Number 383, and containing a Suggested Executive Amendment.

Respectfully submitted,

HENRY B. STEAGALL, II,  
Executive Secretary.

Done This 9th Day of October, 1975.

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 383 without my signature and approval and with the following suggested Executive Amendment.

It is my suggestion that you amend House Bill Number 383 by placing the following words at the end of Section 1:

"Provided, however, that nothing in this Act shall be construed to prohibit an employer from rejecting the provisions of this Act in any group, plan, or agreement for health services."

The adoption of the above and foregoing Executive Amendment will remove my objections from this bill.

Respectfully,

GEORGE C. WALLACE,  
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Wyatt, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 383, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 77; Nays 2.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe,

Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (R), Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, McCluskey, McMillian, McNees, Malone, Manley, Mitchem, Moore (O), Moore (W), Pegues, Plaster, Porter, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Shelton, Smith (B), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Venable, Waggoner, Warren, Whatley, White and Wyatt.

—77

Nays: Messrs.: Cooper and McNair.

—2

And the bill:

H. 383. To provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services of Chiropractors.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hines, Holley, Hopping, Howard, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, McCluskey, McMillan, McNees, Malone, Manley, Merrill, Mitchem, Moore (O), Moore (W), Morris, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Shelton, Smith (B), Sonnier, Sparks, Trammell, Tucker, Venable, Waggoner, Warren, Whatley and Wyatt.

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#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 821. Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office and compensation of the additional two members.

And said Bill, H. B. 821, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 441. CREATING A JOINT INTERIM STUDY COMMITTEE TO STUDY LAWS PERTAINING TO THE RULES OF THE ROAD AND VEHICULAR TRAFFIC.

McDOWELL LEE,  
Secretary.



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S. 696 RESUMED

MOTION TO TAKE FROM TABLE ADOPTED

Having voted on the prevailing side, Mr. Naramore offered the motion to take from the table the amendment offered by Mr. Martin to the bill, S. 696, and the motion was adopted.

Yeas 32; Nays 21.

*Yeas:*

Messrs.: Albright, Andrews, Armstrong, Barron, Biddle, Callahan, Crawford, Cross, Falkenburg, Gafford, Goodwin, Greer, Hill, Hines, Jackson (R), Jolly, Kennedy, Kinsey, McCluskey, McMillan, Moore (O), Naramore, Rich, Sandusky, Smith (B), Sonnier, Sparks, Trammell, Tucker, Venable, Waggoner and White.

—32

*Nays:*

Messrs.: Campbell, Carothers, Cates, Clark, Coburn, Folmar, Johnson, Johnstone, Kelley, Killian, Lee, Leonard, Lewis, Lutz, McNair, Pegues, Plaster, Robertson, Sasser, Shelton and Wyatt.

—21

AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. Martin to the bill, S. 696, said amendment being as follows:

Amend Section 11 by deleting the words "county governing body" on line 15 and inserting in lieu thereof the following words, "State General Fund."

And the amendment was adopted.

Yeas 55; Nays 1.

*Yeas:*

Messrs.: Albright, Andrews, Armstrong, Barron, Biddle, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Folmar, Gafford, Goodwin, Greer, Harrison, Hill, Hines, Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, Leonard, Lewis, Lutz, McCluskey, McMillan, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Rich, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sparks, Starkey, Taylor, Trammell, Tucker, Venable, Waggoner, Warren, White, Williams and Wyatt.

—55

*Nay:* Mr. McNair.

—1

And the bill, S. 696 as thus amended, was read a third time at length and passed.

Yeas 62; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Andrews, Barron, Biddle, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Falkenburg, Folmar, Gafford, Goodwin, Greer, Harris, Harrison, Hill, Hines, Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lutz, McMillan, McNair, Manley, Martin, Mitchem, Moore (O), Moore (W),

Naramore, Pegues, Plaster, Rich, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Venable, Waggoner, Warren, White, Williams and Wyatt.

-62

## SPECIAL ORDER RESUMED

And the bill:

S. 762. To provide for the commitment, recommitment or continued custody of any person accused of a crime but not yet tried or convicted and presently committed to the custody of the Department of Mental Health at Bryce or Searcy Hospitals or other facilities designated by the Commissioner of said Department; to require the judges of the courts of the state to remand back to their respective counties all persons in said hospitals or facilities against whom criminal charges have been nolle prossed or otherwise dismissed; to provide for the commitment, recommitment, or continued custody of a person who has been adjudicated "not guilty by reason of insanity" of any crime and who is presently committed to the custody of the Department of Mental Health at Bryce or Searcy hospitals or other facilities designated by the Commissioner of said Department; to provide for the commitment, recommitment to the custody of the Department of Mental Health from the persons of the state pursuant to the provisions of Title 45, Section 222, 223, and 224 Code of Alabama 1940, as Recompiled 1958, or the transfer back to the prisons under appropriate circumstances; upon application of the Commissioner of the Department of Mental Health or his designee to authorize the governor to appoint one or more special judges of probate for the purpose of considering hearing and making appropriate orders with regard to the commitment, or recommitment or continued custody of such persons; to provide the judicial authority of such special judges of probate; to provide the jurisdiction of such probate courts over such person; to provide the qualifications of such special judges of probate, and to provide an appropriation to carry out the purposes of this Act.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Messrs.: Albright, Armstrong, Barron, Biddle, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Edwards, Falkenburg, Folmar, Gafford, Goodwin, Greer, Harris, Harrison, Hill, Hines, Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lutz, McMillan, McNair, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Rich, Robertson, Sandusky, Shelton, Smith (B), Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Warren, White, Williams and Wyatt.

-56

And the bill:

S. 698. Relating to Mental Health, entering the Interstate Compact on Mental Health, providing for proper and expeditious treatment of the mentally ill and mentally deficient by cooperative action with other party states, without regard to the residence or citizenship of the patient.

Was read a third time at length and passed.

Yeas 50; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Barron, Biddle, Callahan, Campbell, Cates, Edwards, Falkenburg, Folmar, Gafford, Greer, Harris, Harri-

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son, Hill, Hines, Johnson, Johnstone, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lutz, McMillan, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Rich, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Warren, White and Wyatt.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Sonnier, the rules were suspended in order to bring up out of order on the Special Order Calendar, the bill, S. 487.

And the bill:

S. 487. Providing that the cancelled check shall be proof of payment of claims against an estate; to amend Section 303, Title 61, Code of Alabama 1940, so as to add said provision.

Was read a third time at length and passed.

Yeas 57; Nays 0.

**Yeas:**

Messrs.: Albright, Andrews, Armstrong, Barron, Biddle, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Edwards, Folmar, Goodwin, Greer, Gregg, Harris, Harrison, Hill, Hilliard, Hines, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lutz, McCluskey, McMillan, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Rich, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Taylor, Trammell, Venable, Waggoner, Warren and Williams.

—57

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Johnson to suspend the rules in order to bring up out of order the bill, S. 106, was lost, lacking a four fifths vote.

Yeas 28; Nays 23.

**Yeas:**

Messrs.: Brindley, Campbell, Carothers, Crawford, Cross, Dial, Edwards, Greer, Hall, Hines, Hopping, Johnson, Kelley, Kennedy, Kinsey, LeFlore, Lewis, McNair, Mitchem, Naramore, Pegues, Quarles, Roberts, Smith (B), Smith (C), Venable, Williams and Wyatt.

—28

**Nays:**

Mr. Speaker, Armstrong, Barron, Biddle, Cates, Clark, Coburn, Falkenburg, Folmar, Gafford, Goodwin, Harris, Harrison, Johnstone, Killian, Leonard, Lockett, McCluskey, McMillan, Malone, Plaster, Starkey and Waggoner.

—23

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McMillan, the rules were suspended in order to bring up out of order the bill, S. 161.

And the bill:

S. 161. To authorize the County Commission or like governing body of each of the several Counties of the State to join and participate in a National and State Association of County Commissions and to appropriate such funds as it may deem necessary for the maintenance and support of such Association.

Was read a third time at length and passed.

Yeas 55; Nays 0.

Yeas:

Messrs.: Andrews, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Dial, Drake, Glass, Goodwin, Greer, Hall, Harris, Hill, Hines, Holley, Hopping Johnstone, Kelley, Kennedy, Killian, Kinsey, LeFlore, Lewis, McCluskey, McCulley, McMillian, Malone, Martin, Moore (O), Morris, Naramore, Pegues, Quarles, Rich, Roberts, Sandusky, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Venable, Warren, Williams and Wyatt.

—55

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 616. To provide that the annual sessions of the legislature shall commence on the last Tuesday in March of each of the first three years of the term of office of the legislature and on the third Tuesday in January of the fourth year of said term.

said Conference Report being in words and figures as follows, to-wit:

## REPORT OF CONFERENCE COMMITTEE

To the Members of the Legislature:

We, your conferees, appointed to reconcile the differences between the two houses on the House Substitute for Senate Bill 616, as amended, beg leave to report as follows:

We Recommend that both houses pass the substitute, as amended, and that the Substitute be further amended as follows:

Delete Section 1 in its entirety and substitute in lieu thereof the following:

"Section 1. The annual sessions of the Alabama Legislature shall commence on the last Tuesday of March of each year of the first three

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years of the term of office of the Legislature and on the third Tuesday in January of the fourth year of said term commencing in the year 1977."

Ted Little  
Bill G. King  
John Baker  
Conferees on the part of the Senate  
Monroe Smith  
H. L. Callahan  
Joe Carothers  
Conferees on the part of the House

And said Bill, S. B. 616, together with the report of the Committee on Conference, is herewith sent to the House for its consideration.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

Mr. Smith (M) offered the motion that the House concur in and adopt the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 616, said Report being set out in the above and foregoing Message from the Senate.

SUBSTITUTE MOTION TABLED

On motion of Mr. Smith (B), the substitute motion offered by Mr. Greer that the House non-concur in the Report of the Committee on Conference on the bill, S. 616, was tabled.

Yeas 55; Nays 27.

*Yeas:*

Messrs.: Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Clark, Drake, Edwards, Falkenburg, Folmar, Glass, Gregg, Hall, Harris, Harrison, Higginbotham, Hilliard, Hines, Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, LeFlore, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Mitchem, Moore (O), Pegues, Quarles, Rich, Riddick, Roberts, Robertson, Smith (B), Smith (M), Sparks, Trammell, Tucker, Waggoner, Warren and Wyatt.

—55

*Nays:*

Messrs.: Andrews, Boles, Carothers, Cates, Coburn, Crawford, Cross, Dial, Gafford, Goodwin, Greer, Hill, Kennedy, McNair, Morris, Naramore, Plaster, Sandusky, Shelton, Smith (C), Sonnier, Starkey, Taylor, Teague, Venable White, and Williams.

—27

The question was then on the motion offered by Mr. Smith (M), that the House concur in and adopt the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 616, and the motion was adopted.

Yeas 59; Nays 22.

*Yeas:*

Messrs.: Albright, Armstrong, Baker, Biddle, Brindley, Callahan, Carothers, Cooper, Crawford, Drake, Edwards, Falkenburg, Folmar, Gafford,

Glass, Gregg, Hall, Harris, Higginbotham, Hilliard, Hines, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Killian, Kinsey, LeFlore, Lockett, Lutz, McCluskey, McCulley, McMillan, Martin, Mitchem, Moore (O), Quarles, Rich, Riddick, Robertson, Sandusky, Smith (B), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams and Wyatt.

—59

*Nays:*

Messrs.: Andrews, Barron, Boles, Campbell, Cates, Coburn, Cross, Goodwin, Greer, Harrison, Hill, Jolly, Kennedy, Leonard, McNair, Manley, Naramore, Pegues, Plaster, Shelton, Smith (C), and Tucker.

—22

**And the bill:**

S. 616. To provide that the annual sessions of the legislature shall commence on the first Tuesday in February of each year.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 54; Nays 3.

*Yeas:*

Messrs.: Albright, Andrews, Baker, Brindley, Campbell, Cooper, Crawford, Cross, Dial, Edwards, Folmar, Gafford, Glass, Goodwin, Gregg, Hall, Harris, Higginbotham, Hines, Hopping, Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, LeFlore, Lewis, Lockett, McCluskey, McCulley, McMillan, Manley, Martin, Mitchem, Moore (O), Pegues, Plaster, Rich, Roberts, Robertson, Sandusky, Shelton, Smith (B), Sonnier, Sparks, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, White and Wyatt.

—54

*Nays:* Messrs.: Barron, Cates and Greer.

—3

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Kinsey, the rules were suspended in order to bring up out of order on the Special Order Calendar, the bill, S. 657.

**And the bill:**

S. 657. To provide for compensation for services to patients under insurance coverage, whether rendered by a physician or dentist, so long as the provider acts within the scope of his licensure.

Was read a third time at length and passed.

Yeas 53; Nays 16.

*Yeas:*

Messrs.: Albright, Andrews, Baker, Brindley, Campbell, Carter, Cates, Cooper, Edwards, Folmar, Greer, Harrison, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lockett, Lutz, McMillan, Malone, Manley, Martin, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Rich, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Taylor, Trammell, Venable, Warren, Williams and Wyatt.

—53

*Nays:*

Messrs.: Armstrong, Barron, Crawford, Dial, Gafford, Gregg, Hall, Higginbotham, Lewis, McCluskey, Morris, Roberts, Sasser, Teague, Whatley and White.

—16

### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Pegues, the rules were suspended in order to bring up out of order on the Special Order Calendar, the bill, S. 473.

And the bill:

S. 473. Providing that committees of dentists appointed or formed as Utilization Review and Quality Control Committees, Peer Review Committees and Professional Standards Review Committees shall not be deemed liable in damages for actions taken or recommendations made when acting in good faith on facts reasonably known to exist.

Was read a third time at length and passed.

Yeas 65; Nays 2.

*Yeas:*

Messrs.: Albright, Andrews, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carter, Cates, Clark, Cooper, Crawford, Cross, Dial, Edwards, Gafford, Glass, Greer, Gregg, Harrison, Higginbotham, Hill, Hines, Holley, Howard, Johnstone, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lockett, Lutz, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Venable, Warren, Whatley, White, Williams and Wyatt.

—65

*Nays:* Messrs.: Folmar and Malone.

—2

### SPECIAL ORDER RESUMED

And the bill:

S. 659. To amend Sections 1 and 2 of Act No. 399, H. 318, 1967 Regular Session (Acts 1967, p. 1002), and Sections 4 and 7 of Title 51, Code of Alabama 1940, as amended, which relate to applications for exemptions of factories, industries, and plants from ad valorem tax, so as to extend the time for making applications for exemptions for a shorter duration of time.

Was read a third time at length and passed.

Yeas 63; Nays 1.

*Yeas:*

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Campbell, Carter, Cates, Clark, Cooper, Crawford, Cross, Edwards, Greer, Hall, Harris, Hill, Hilliard, Hines, Hopping, Howard, Johnstone, Jolly, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lockett, Lutz, McCluskey, McMillan, McNees, Malone, Manley, Martin, Moore (O), Moore (W), Morris, Pegues, Plaster, Quarles, Rich, Roberts, Sandusky,

Sasser, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Whatley, Williams and Wyatt.

—63

*Nay:* Mr. Callahan.

—1

## MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Tucker to suspend the rules in order to bring up out of order the bill, S. 343, was lost.

Yeas 9; Nays 12.

*Yeas:*

Messrs.: Armstrong, Folmar, Harrison, Hilliard, Howard, Jackson (R), Leonard, McNair and Tucker.

—9

*Nays:*

Messrs.: Andrews, Biddle, Crawford, Falkenburg, Gafford, Hopping, Jolly, Kennedy, Moore (O), Trammell, Waggoner and White.

—12

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Riddick, the rules were suspended in order to bring up out of order on the Special Order Calendar, the bill, S. 254.

And the bill:

S. 254. (With Substitute): To amend Section 12 of Act No. 1038, H. 1005, 1973 Regular Session, approved September 10, 1973, creating a uniform military code and a uniform code of military justice for the State of Alabama, so as to exempt from the operation of the privilege or license tax and registration fee levied on automobiles and motor vehicles by the State of Alabama, one passenger vehicle owned by any officer, warrant officer, or enlisted person serving as an active member of any United States armed forces reserve or organization, and disabled veterans who meet certain requirements of residence in Alabama.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To exempt from the operation of the privilege or license tax and registration fee levied on automobiles and motor vehicles by the State of Alabama, one passenger vehicle owned by any officer, warrant officer, or enlisted person serving as an active member of any United States



armed forces reserve organization and disabled veterans who meet certain requirements of residence in Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be exempt from the operation of the privilege or license tax and registration fee now or hereinafter to be levied on automobiles and motor vehicles by the State of Alabama, one passenger vehicle owned by:

A. Any active member of the Alabama National Guard or the Alabama state guard, when organized in lieu of the national guard or for any disabled veteran. Such exemption for only one such vehicle extends only to distinctive national guard or disabled veterans license tags and shall be claimed upon presentation of proper identification on forms prescribed by the adjutant general. Active members of the national guard may obtain additional distinctive license tags for other passenger vehicles which they own by paying the regular privilege or license tax provided by law. Retired members of the Alabama National Guard may obtain one or more distinctive license tags for passenger vehicles which they own upon presentation and proper identification on forms prescribed by the adjutant general and by paying the regular privilege or license tax and registration fee as provided by law.

B. Any officer, warrant officer, or enlisted person serving as an active member of any United States armed forces reserve organization or any disabled veteran who were residents of Alabama at the time of entering the service, and who are still residents of Alabama at the time the exemption is claimed. Such exemption shall be claimed by presentation of proper identification and proof of residence requirements on forms prescribed by the State Department of Revenue.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 60; Nays 3.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Callahan, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Edwards, Folmar, Goodwin, Greer, Gregg, Harris, Harrison, Hill, Hines, Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, LeFlore, Lutz, McMillan, McNees, Malone, Manley, Martin, Moore (O), Moore (W), Naramore, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Smith, (B), Smith (J), Smith (M), Sparks, Starkey, Taylor, Teague, Trammell, Turnham, Venable, Williams and Wyatt.

—60

Nays: Messrs.: Leonard, Sasser and Whatley.

—3

And the bill, S. 254 as thus amended, was read a third time at length and passed.

Yeas 58; Nays 15.

*Yeas:*

Mr. Speaker, Albright, Andrews, Baker, Barron, Brindley, Callahan, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Edwards, Folmar, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holley, Jackson (F), Jolly, Kennedy, Killian, Kinsey, Lutz, McMillan, McNees, Malone, Martin, Mitchem, Moore (O), Naramore, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Turnham, Venable, Waggoner and Wyatt.

—58

*Nays:*

Messrs.: Armstrong, Harrison, Higginbotham, Hopping, Jackson (R), Leonard, Lockett, McNair, Manley, Pegues, Plaster, Sasser, Smith (M), Whitley and White.

—15

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

by a majority of the whole number elected to the Senate, said vote being Yeas 24, Nays 0.

And said Bill, H. B. 1075, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 24, Nays 0.

And said Bill, H. B. 1075, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,  
Secretary.

#### SPECIAL ORDER RESUMED

And the bill:

S. 1060. To create the Scholarship and Loan Commission of Covington County for the purpose of providing loans and scholarships to persons who plan a career in medicine, and to establish a fund for the fulfillment of the purpose of this Act.

Was read a third time at length and passed.

Yeas 69; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Cates, Clark, Coburn, Crawford, Edwards,

Folmar, Glass, Goodwin, Greer, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kennedy, Killian, Leonard, Lewis, Lockett, McMillan, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—69

And the bill:

S. 782. To authorize full-time employees of the Tannehill Furnace and Foundry Commission to participate in the State Employees' Retirement System and any insurance programs provided for by state employees; to authorize the Tannehill Furnace and Foundry Commission to contribute any monies appropriated them for any purpose to carry out the provisions of this act, and to make payroll deductions from employees salaries.

Was taken up.

Mr. Robertson offered the following substitute to the bill:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize full-time employees of the Tannehill Furnace and Foundry Commission to participate in any insurance programs provided for by state employees; to authorize the Tannehill Furnace and Foundry Commission to contribute any monies appropriated them for any purpose to carry out the provisions of this act, and to make payroll deductions from employees' salaries.

Be It Enacted by the Legislature of Alabama:

Section 1. All full-time employees of the Tannehill Furnace and Foundry Commission shall be treated as state employees for the purpose of participating in any insurance programs provided for state employees.

Section 2. The Tannehill Furnace and Foundry Commission is hereby authorized and empowered to pay the employer's contributions to any such programs out of any funds appropriated to them or available to them for any purpose whatsoever, and it may deduct the employees' contributions for such programs by means of payroll deductions or otherwise from any salary or compensation paid said employees.

Section 3. The provisions of this Act shall become effective October 1, 1975.

And the substitute was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Brindley, Callahan, Campbell, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Edwards, Folmar, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holley, Howard, Jackson (F), Johnson, Jolly, Kennedy, Killian, Kinsey, Lewis, Lockett, McCluskey, McMillan, McNees, Malone, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Rich, Rid-

dick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Trammell, Venable, Waggoner, Warren, Whatley Williams and Wyatt.

—67

And the bill, S. 782 as thus amended, was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Brindley, Callahan, Campbell, Carter, Cates, Clark, Coburn, Cooper, Cross, Dial, Edwards, Folmar, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hines, Holley, Hopping, Howard, Jackson (F), Jolly, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—71

And the bill:

S. 138. To require every person using, operating or driving a motor vehicle upon or over the roads and highways of the State of Alabama to bring said motor vehicle to a complete stop when approaching a church bus, or other vehicle used in transporting persons to and from church, while said church bus or other vehicle used in transporting persons to and from church is engaged in taking on or discharging passengers and prescribing the penalty for violating the provisions of this act.

Was read a third time at length and passed.

Yeas 64; Nays 4.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Crawford, Cross, Folmar, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hilliard, Hines, Hopping, Howard, Jackson (F), Jolly, Killian, Kinsey, Leonard, Lewis, Lockett, Lutz, McNees, Malone, Manley, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Rich, Riddick, Roberts, Sandusky, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Warren, Whatley, Williams and Wyatt.

—64

Nays: Messrs.: Dial, Holley, Sasser and Teague.

—4

And the bill:

S. 670. To require that the name of any person appointed to a position in state government which requires confirmation by either house of the legislature be submitted for confirmation by either house of the legislature before the tenth day of the next regular session; to make any state official liable for the amount of salary he pays to an appointee who is not confirmed.

Was read a third time at length and passed.

Yeas 64; Nays 1.

Yeas:

Messrs.: Andrews, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carter, Clark, Crawford, Cross, Drake, Edwards, Folmar, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Leonard, Lutz, McMillan, McNees, Malone, Manley, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Taylor, Trammell, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—64

Nay: Mr. McCluskey.

—1

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 696. Relating to the commitment of mentally ill persons to the custody of the State Department of Mental Health; prescribing the procedures for the involuntary commitment of mentally ill persons, prescribing the duties and responsibilities of all persons and departments concerned with the commitment of mentally ill persons; providing for the rights of persons sought to be committed as mentally ill; providing for the payment of costs of proceedings for the commitment of mentally ill persons; providing for appeal to circuit court by persons committed as mentally ill; prescribing the jurisdiction of the probate court in regard to persons committed as mentally ill; providing for the transfer of mentally ill persons to facilities operated by the United States; and repealing conflicting laws.

McDOWELL LEE,  
Secretary.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Carothers, the rules were suspended in order to bring up out of order the bill, H. 1584.

And the bill:

H. 1584. (With Amendment): To exempt the Garden Clubs of Alabama from the payment of all state, county and municipal sales and use taxes.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 1584 in the Synopsis on line 9, by striking therefrom the words, viz;

and inserting in lieu thereof the following words:

The Garden Club of Alabama, Inc.

Further amend House Bill 1584 in the Title on line 17 by striking therefrom the words, viz;

and inserting in lieu thereof the following words:

The Garden Club of Alabama, Inc.

Further amend House Bill 1584 in Section 1 on line 21 by striking therefrom the words, viz;

and inserting in lieu thereof the following words:

The Garden Club of Alabama, Inc.

And the amendment was adopted.

Yeas 60; Nays 2.

**Yeas:**

Mr. Speaker, Andrews, Baker, Barron, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Dial, Edwards, Folmar, Glass, Greer, Gregg, Hall, Harris, Hill, Hines, Holley, Hopping, Jackson (F), Johnstone, Killian, Kinsey, Lutz, McCluskey, McCulley, McMillan, McNeas, Manley, Mitchem, Moore (O), Naramore, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Taylor, Warren, Whatley, White, Williams and Wyatt.

—60

Nays: Messrs.: Harrison and Leonard.

—2

And the bill:

H. 1584. To exempt The Garden Club of Alabama, Inc. from the payment of all state, county and municipal sales and use taxes.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 1.

**Yeas:**

Mr. Speaker, Andrews, Baker, Barron, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Folmar, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holley, Hopping, Howard, Jackson (F), Johnstone, Killian, Kinsey, Lutz, McCluskey, McCulley, McMillan, McNeas, Manley, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Starkey, Taylor, Trammell, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—65

Nay: Mr. Leonard.

—1

**SPECIAL ORDER RESUMED**

And the bill:

S. 1126. (With Amendment): To create the office of senior legislative counsel; to prescribe the qualifications, duties and term of all such officers; and to make appropriations from the state general fund to pay the salaries of all senior legislative counsel.

Was taken up.

S. 1126 INDEFINITELY POSTPONED

On motion of Mr. Campbell, the bill, S. 1126 with pending amendment, was indefinitely postponed.

Yeas 45; Nays 24.

Yeas:

Messrs.: Andrews, Armstrong, Barron, Carothers, Carter, Cates, Coburn, Crawford, Dial, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Holley, Kennedy, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McMillan, McNair, Malone, Martin, Mitchem, Morris, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Smith (B), Smith (J), Taylor, Teague, Trammell, Warren, Weeks, Williams and Wyatt.

—45

Nays:

Messrs.: Baker, Callahan, Campbell, Cross, Drake, Edwards, Gafford, Glass, Hill, Hopping, Jackson (F), Jolly, McCluskey, McNees, Moore (O), Naramore, Sandusky, Shelton, Smith (C), Smith (M), Sonnier, Turnham, Whatley and White.

—24

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. White, the rules were suspended in order to bring up out of order on the Special Order Calendar, the bill, S. 775.

And the bill:

S. 775. To amend Section 21 of the Professional Corporation Act (Acts of 1971, p. 4524, now appearing in Code of Alabama, Recompiled 1958, Title 46, Section 366), so as to allow a consolidated or merged professional corporation to render both medical and dental services within a single professional corporation.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Carothers, Carter, Cates, Coburn, Cooper, Cross, Dial, Edwards, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hall, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McMillan, McNair, McNees, Malone, Manley, Martin, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Taylor, Teague, Trammell, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—81

And the bill:

S. 124. (With Substitute): To amend Section 1 of Act 208, S. 34 Special Session 1966, [Acts 1966, p. 256, now appearing in Code of Alabama, Recompiled 1958, Title 55, Section 378 (2)], as amended, entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or

whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards," so as to redefine the term "peace officer" to include law enforcement officers of the Department of Conservation and Natural Resources.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on State Administration, said committee amendment being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 1 of Act 208, S. 34 Special Session 1966, [Acts 1966, p. 256, now appearing in Code of Alabama, Recompiled 1958, Title 55, Section 378 (2)], as amended, entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards," so as to redefine the term "peace officer" to include law enforcement officers of the Department of Conservation and Natural Resources, all law enforcement officers of the Alabama Forestry Commission, livestock theft investigator of the Department of Agriculture and Industries, and Capitol Security guards.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 208, S. 34, Special Session 1966, [Acts 1966, p. 256, now appearing in Code of Alabama, Recompiled 1958, Title 55, Section 378 (2)], as amended, is hereby amended to read as follows:

"Section 1. A. The following words and phrases when used in this Act shall have the following meanings, respectively, unless the context shall clearly indicate a different meaning in the connection used.

"1. "Awarding authority" means the state board of adjustment, created and existing pursuant to Code of Alabama 1940, Title 55, Chapter 10, Article 2.

"2. "Dependent child" means an unmarried child under the age of eighteen years, or one over that age who is physically or mentally incapacitated from earning.

"3. "Fireman" or "firemen" means a member or members of a paid, part-paid or volunteer fire department of a city, town, county, or other subdivision of the State or of a public corporation organized for the purpose of providing water, water systems, fire protection services or fire protection facilities, in the State; and such words shall include the chief, assistant chief, wardens, engineers, captains, firemen, and all other officers and employees of such departments who actually engage in fire fighting or in rendering first aid in case of drownings or asphyxiation at the scene of action.



"4. "Peace officer" includes all sheriffs, deputies sheriff, constables, city police officers, city policemen, state and town marshals, members of the highway patrol, state troopers, employees of the Department of Corrections and Institutions, highway camp guards, law enforcement officers of the Department of Conservation and Natural Sources, all law enforcement officers of the Alabama Forestry Commission, livestock theft investigators of the Department of Agriculture and Industries, Capitol security guards, narcotic agents and inspectors of the Department of Public Health, and any other state, county, or municipal officer engaged in quelling a riot, rout, or civil disturbance.

"B. For the purposes of this Act the following described persons shall be conclusively presumed to be wholly dependent:

"Wife, unless it be shown that she was voluntarily living apart from her husband at the time of his death, or unless it be shown that the husband was not in any way contributing to her support and had not in any way contributed to her support for more than twelve months next preceding the occurrence of the injury causing his death.

"Minor children under the age of eighteen years and those over eighteen if physically and mentally incapacitated from earning.

"Wife, child, husband, mother, father, grandmother, grandfather, sister, brother, mother-in-law, and father-in-law who were wholly supported by the deceased peace officer or fireman at the time of his death and for a reasonable period of time prior thereto shall be considered his dependents and payment of compensation may be made to them as hereinafter authorized.

"Any member of the class named in the preceding paragraph who regularly derived part of his support from the earnings of the deceased peace officer or the deceased fireman, as the case may be, at the time of his death and for a reasonable time immediately prior thereto shall be considered his partial dependents and payment of compensation may be made to such partial dependents as hereinafter authorized."

Section 2. All laws and parts of laws in conflict herewith are repealed.

Section 3. This Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

And the substitute was adopted.

Yeas 61; Nays 0.

Yeas:

Messrs.: Andrews, Baker, Barron, Brindley, Callahan, Carothers, Carter, Cates, Coburn, Cooper, Cross, Dial, Edwards, Gafford, Goodwin, Greer, Gregg, Hall, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Jackson (F), Johnstone, Jolly, Killian, Kinsey, Leflore, Lockett, Lutz, McCluskey, McMillan, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (M), Sonnier, Trammell, Venable, Warren, Weeks, White, Williams and Wyatt.

—61

And the bill, S. 124 as thus amended, was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Baker, Barron, Brindley, Callahan, Carothers, Carter, Cates, Cooper, Crawford, Cross, Edwards, Folmar, Greer, Gregg,

Hall, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McMillan, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Naramore, Pegues, Plaster, Porter, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B); Smith (C), Smith (M), Sonnier, Taylor, Trammell, Turnham, Venable, Warren, White, Williams and Wyatt.

—65

### MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Carothers, the rules were suspended in order to bring up out of order on the Special Order Calendar, the bill, S. 131.

And the bill:

S. 131. (With Amendment): To amend further the title and Sections 1 and 2 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, p. 549), providing for uniform gifts to minors so as to redefine the word "court" and to provide for the making of testamentary gifts under such act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend Senate Bill 131, Section 1, on page 1, line 34, by striking the words and inserting in lieu thereof the word nineteen.

Further amend Senate Bill 131, Section 1, page 3, line 30, by striking the words and inserting in lieu thereof the word nineteen.

And the amendment was adopted.

Yeas 65; Nays 2.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Dial, Edwards, Folmar, Gafford, Glass, Goodwin, Greer, Hill, Hines, Holley, Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Killian, Kinsey, Leonard, Lockett, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (M), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, White, Williams and Wyatt.

—65

Nays: Messrs.: Barron and Malone.

—2

And the bill, S. 131 as thus amended, was read a third time at length and passed.

Yeas 74; Nays 4.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Edwards, Folmar, Gafford, Goodwin, Greer, Gregg, Harris, Harrison, Hill, Hines, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey,

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McCulley, McMillan, McNeas, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Porter, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (M), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Warren, Whatley, White, Williams and Wyatt.

—74

Nays: Messrs.: Barron, Kennedy, Malone and Morris.

—4

SPECIAL ORDER RESUMED

And the bill:

S. 687. To authorize the State Board of Pardons and Paroles to charge parolee residents of community residential facilities a monthly amount for room and board; to provide that such charge may be waived upon written recommendation by the director of the facility; to provide for earmarking the proceeds from such charges; to authorize said board to promulgate and effect such rules and regulations necessary for the implementation of this act and to repeal conflicting statutes.

Was taken up.

S. 687 INDEFINITELY POSTPONED

On motion of Mr. Cooper, the bill, S. 687, was indefinitely postponed.

H. 383 RECONSIDERED

Having voted on the prevailing side, Mr. Robertson offered the motion to reconsider the vote by which the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 383, and the motion was adopted.

Yeas 33; Nay 3.

Yeas:

Messrs.: Baker, Barron, Brindley, Callahan, Clark, Folmar, Greer, Hill, Hopping, Howard, Johnstone, Kinsey, LeFlore, Lutz, McCulley, McMillan, McNeas, Merrill, Moore (O), Morris, Plaster, Quarles, Reed, Rich, Sandusky, Shelton, Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor and Wyatt.

—33

Nays: Messrs.: Gafford, Holley and White.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BILL RETURNED TO GOVERNOR

On motion of Mr. Robertson, the bill, H. 383, was returned to the Governor for further consideration.

SPECIAL ORDER RESUMED

And the bill:

S. 542. To further amend Section 49 of Title 36, Code of Alabama (1940) as recompiled, 1958 for the Highway Director to regulate the

Test, Approval and Sale of Traffic Sign, Signal and Regulatory Devices used on any street or highway in the State of Alabama.

Was read a third time at length and passed.

Yeas 35; Nays 0.

Yeas:

Messrs.: Barron, Campbell, Carothers, Cates, Cross, Glass, Greer, Harris, Hill, Hines, Holley, Hopping, Jackson (F), Johnstone, Kelley, Killian, Kinsey, McMillan, Martin, Merrill, Mitchem, Moore (O), Naramore, Pegues, Plaster, Reed, Roberts, Sasser, Shelton, Smith (M), Sonnier, Turnham, Venable, Whatley and Williams.

—35

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 768. Relating to the registration of cotton buyers; providing for a registration fee; prohibiting certain acts and providing a penalty; and declaring an emergency.

Was read a third time at length and passed.

Yeas 48; Nays 0.

Yeas:

Messrs.: Baker, Barron, Brindley, Callahan, Carter, Cates, Cross, Dial, Folmar, Glass, Greer, Harris, Hill, Holley, Hopping, Kelley, Killian, Kinsey, Lee, LeFlore, Lockett, Lutz, McMillan, Manley, Martin, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (C), Sonnier, Starkey, Trammell, Turnham, Venable, Warren, Weeks, Whatley, Williams and Wyatt.

—48

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 557. To amend Section 47, Title 36, Code of Alabama, 1940, by requiring the highway department to adopt a manual and specification for a uniform system of traffic control devices and to place such devices on all state highways and by forbidding local authorities from placing traffic control devices on state highways without permission of the highway department.

Was read a third time at length and passed.

Yeas 52; Nays 1.

Yeas:

Messrs.: Armstrong, Baker, Brindley, Callahan, Campbell, Cates, Crawford, Cross, Dial, Folmar, Greer, Hall, Hill, Hines, Holley, Hopping Jack-

son (F), Johnstone, Kelley, Kinsey, LeFlore, Lewis, McCulley, McMillan, McNeese, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Taylor, Trammell, Turnham, Venable, Whatley, Williams and Wyatt.

—52

Nay: Mr. Smith (J).

—1

And the bill:

S. 553. To prohibit the backing of a vehicle onto a controlled-access highway and prohibits the backing of a vehicle in other places unless the movement can be made safely and without interference with other traffic.

Was read a third time at length and passed.

Yeas 50; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Barron, Campbell, Cates, Cross, Folmar, Greer, Harrison, Hill, Hilliard, Hines, Holley, Hopping, Jackson (F), Johnstone, Kelley, Kinsey, Lee, LeFlore, Lewis, McCluskey, McCulley, McMillan, McNeese, Manley, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sonnier, Taylor, Teague, Trammell, Turnham, Venable, Whatley, Williams and Wyatt.

—50

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 106. (With Amendments): To amend Act No. 253, Special Session 1966 which exempts from civil liability certain persons who render emergency care at the scene of an accident, casualty or disaster, to read as follows:

Was taken up.

The question was then on the adoption of the amendment No. 1 reported by the Standing Committee on Local Legislation No. 2, said committee amendment being as follows:

Amend "Section 1" on page 1 of said bill, beginning with line 15 so that the first sentence of said "Section 1" will read as follows:

"Section 1. When any doctor of medicine or dentistry, nurse, member of any organized rescue squad, member of any police or fire department, member of any organized volunteer fire department, Alabama licensed emergency medical technician, intern and resident practicing in an Alabama hospital with training programs approved by the American Medical Association, Alabama state trooper, medical 'aidman' functioning as a part of the Military Assistance to Safety and Traffic Program, gratuitously and in good faith renders first aid or emergency care at the scene of an accident, casualty, or disaster, to a person injured therein, he shall not be liable for any civil damages as a result of

his acts or omissions in rendering such first aid or emergency care, nor shall he be liable for any civil damages as a result of any act or failure to act to provide or arrange for further medical treatment or care for the injured person.

And the amendment was adopted.

Yeas 48; Nays 2.

Yeas:

Messrs.: Baker, Barron, Campbell, Carothers, Cates, Cross, Dial, Greer, Hall, Harris, Hilliard, Hines, Holley, Hopping, Jackson (F), Johnson, Johnstone, Kelley, Kinsey, LeFlore, Lutz, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Rich, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Taylor, Teague, Trammell, Turnham, Weeks, Whatley, Williams and Wyatt.

—48

Nays: Messrs.: Folmar and Hill.

—2

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the adoption of the amendment No. 2 reported by the Standing Committee on Local Legislation No. 2, said committee amendment being as follows:

Amend "Section 1" of Senate Bill 106, on page 1, line 31, by deleting the following sentence:

And the amendment was adopted.

Yeas 46; Nays 2.

Yeas:

Messrs.: Armstrong, Baker, Barron, Campbell, Carothers, Cates, Coburn, Dial, Greer, Hall, Harris, Hines, Holley, Jackson (F), Johnson, Johnstone, Kelley, Kinsey, LeFlore, Lewis, Lutz, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Rich, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Taylor, Teague, Trammell, Weeks, Whatley, Williams and Wyatt.

—46

Nays: Messrs.: Folmar and Hill.

—2

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the adoption of the amendment No. 3 reported by the Standing Committee on Local Legislation No. 2, said committee amendment being as follows:

Further amend "Section 1" of Senate Bill 106, on page 1, line 31, by striking the word and insert in lieu thereof the word persons.

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And the amendment was adopted.

Yeas 41; Nays 2.

Yeas:

Messrs.: Armstrong, Baker, Barron, Campbell, Carothers, Cates, Dial, Greer, Hall, Harris, Hines, Holley, Jackson (F), Johnson, Kelley, Kinsey, LeFlore, Lewis, Lutz, McMillan, McNees, Martin, Mitchem, Naramore, Pegues, Plaster, Reed, Rich, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Teague, Venable, Weeks, Whatley, Williams and Wyatt.

—41

Nays: Messrs.: Folmar and Hill.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the adoption of the amendment No. 4 reported by the Standing Committee on Local Legislation No. 2, said committee amendment being as follows:

Amend Section 2 of Senate Bill 106, beginning on line 32 of page 1 and lines 3 through 6 on page 2, to read as follows:

Section 2. When any physician gratuitously advises medical personnel at the scene of an emergency episode by direct voice contact, to render medical assistance based upon information received by voice or bio-telemetry equipment, such actions ordered taken by the physician to sustain life or reduce disability, shall not be considered liable when such actions are within the established medical procedures.

And the amendment was adopted.

Yeas 31; Nays 2.

Yeas:

Messrs.: Armstrong, Baker, Barron, Campbell, Carothers, Cates, Greer, Hall, Harris, Hines, Holley, Johnson, Johnstone, Kinsey, LeFlore, McMillan, McNees, Martin, Moore (O), Naramore, Pegues, Rich, Robertson, Shelton, Smith (M), Sonnier, Trammell, Venable, Whatley, Williams and Wyatt.

—31

Nays: Messrs.: Folmar and Hill.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 106 as thus amended, was read a third time at length and passed.

Yeas 44; Nays 5.

Yeas:

Messrs.: Armstrong, Baker, Barron, Brindley, Campbell, Carothers, Cates, Clark, Cross, Dial, Greer, Hall, Hines, Holley, Hopping, Johnson, Kelley,

Kinsey, LeFlore, Lewis, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Quarles, Rich, Robertson, Shelton, Smith (C), Smith (J), Smith (M), Teague, Trammell, Venable, Weeks, Whatley, Williams and Wyatt.

—44

*Nays:* Messrs.: Folmar, Harris, Hill, Johnstone and Killian.

—5

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

#### MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Owens offered the motion that the House reconsider the vote by which a Committee on Conference was granted on the disagreement of the two Houses to the Senate amendment to the bill, H. 489, and the motion was adopted.

Yeas 95; Nays 0.

#### *Yeas:*

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonmier, Sparks, Starkey, Taylor, Teague, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—95

#### MOTION TO NON-CONCUR IN SENATE AMENDMENT

Mr. Turnham offered the motion that the House non-concur in the Senate amendment to the bill, H. 489.

#### SUBSTITUTE MOTION ADOPTED

The substitute motion offered by Mr. McCorquodale that the House recess for thirty minutes was adopted.

#### HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 131. To amend further the title and Sections 1 and 2 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, p. 549), providing for



uniform gifts to minors so as to redefine the word "court" and to provide for the making of testamentary gifts under such act.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 254. To exempt from the operation of the privilege or license tax and registration fee levied on automobiles and motor vehicles by the State of Alabama, one passenger vehicle owned by any officer, warrant officer, or enlisted person serving as an active member of any United States armed forces reserve organization and disabled veterans who meet certain requirements of residence in Alabama.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill.

S. 782. To authorize full-time employees of the Tannehill Furnace and Foundry Commission to participate in any insurance programs provided for by state employees; to authorize the Tannehill Furnace and Foundry Commission to contribute any monies appropriated them for any purpose to carry out the provisions of this act, and to make payroll deductions from employees salaries.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 124. To amend Section 1 of Act 208, S. 34 Special Session 1966, [Acts 1966, p. 256, now appearing in Code of Alabama, Recompiled 1958, Title 55, Section 378 (2)], as amended, entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards," so as to redefine the term "peace officer" to include law enforcement officers of the Department of Conservation and Natural Resources, all law enforcement officers of the Alabama Forestry Commission, livestock theft investigator of the Department of Agriculture and Industries, and Capitol Security guards.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 106. To amend Act No. 253, Special Session 1966 which exempts from civil liability certain persons who render emergency care at the scene of an accident, casualty or disaster, to read as follows:

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 818. To make an appropriation from the Special Educational Trust Fund for the relief of Harry V. Schmidt.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested.

S. 382. To authorize the establishment of a security medical facility under the jurisdiction of the Alabama Mental Health Board; to establish sources and procedures for admission to said facility; and to provide for the charges for the cost of treatment.

Also:

S. 635. To amend Section 224, Article 12 of the Constitution of 1901, so as to raise the debt limit to provide that no county shall become indebted in an amount including present indebtedness, greater than five percentum of the assessed value of the property therein.

Also:

S. 660. A bill relating to the practice of Veterinary medicine and surgery which provides for permits to veterinarians for animal technicians; for the examination and registration of animal technicians; for the payment of examination and registration fees; and which prescribes penalties for violation of the Act; and further providing annual educational requirements for veterinarians with exceptions for certain licensees; and further by amending Section 18 of Act No. 945 of the Regular Session of the Legislature 1951, which relates to the expenses of the Board members.

Also:

S. 525. To amend Section 8 of Act No. 1277, H. 1345, 1973 Regular Session (Acts of 1973, p. 2181), entitled "An Act To authorize Alabama Public School and College Authority to sell and issue one hundred seventy-nine million, nine hundred twenty-one thousand dollars (\$179,921,000) aggregate principal amount of additional bonds for capital im-

provements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, including colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority of Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof," so as to provide further for the use and distribution of the bond proceeds.

Also:

S. 668. To amend Act No. 1116, Acts of Alabama 1969 Regular Session, page 2054, approved September 12, 1969 entitled: Relating to crimes and offenses; defining certain crimes relative to credit cards, including offenses relative to obtaining, possessing, using, dealing in, forging, signing and providing goods and services upon presentation of a credit card; prescribing certain presumptions and proscribing certain defenses relative to the crimes hereby defined; prescribing penalties; and providing that this act is cumulative.

Also:

S. 688. To provide for the creation of a Criminal Justice Advisory Commission; to provide for the membership and function of the Commission; and to make an appropriation to defray the expenses of the Commission.

Also:

S. 161. To authorize the County Commission or like governing body of each of the several Counties of the State to join and participate in a National and State Association of County Commissions and to appropriate such funds as it may deem necessary for the maintenance and support of such Association.

Also:

S. 487. Providing that the cancelled check shall be proof of payment of claims against an estate; to amend Section 303, Title 61, Code of Alabama 1940, so as to add said provision.

Also:

S. 698. Relating to Mental Health, entering the Interstate Compact on Mental Health, providing for proper and expeditious treatment of the mentally ill and mentally deficient by cooperative action with other party states, without regard to the residence or citizenship of the patient.

S. 762. To provide for the commitment, recommitment or continued custody of any person accused of a crime but not yet tried or convicted and presently committed to the custody of the Department of Mental Health at Bryce or Searcy Hospitals or other facilities designated by the Commissioner of said Department; to require the judges of the courts of the state to remand back to their respective counties all persons in said hospitals or facilities against whom criminal charges have been nolle prossed or otherwise dismissed; to provide for the commitment, recommitment, or continued custody of a person who has been adjudicated "not guilty by reason of insanity" of any crime and who is presently committed to the custody of the Department of Mental Health at Bryce or Searcy hospitals or other facilities designated by the Commissioner of said Department; to provide for the commitment, recommitment to the custody of the Department of Mental Health from the persons of the state pursuant to the provisions of Title 45, Section 222, 223, and 224 Code of Alabama 1940, as Recompiled 1958, or the transfer back to the prisons under appropriate circumstances; upon application of the Commissioner of the Department of Mental Health or his designee to authorize the governor to appoint one or more special judges of probate for the purpose of considering hearing and making appropriate orders with regard to the commitment, or recommitment or continued custody of such persons; to provide the judicial authority of such special judges of probate; to provide the jurisdiction of such probate courts over such persons; to provide the qualifications of such special judges of probate, and to provide an appropriation to carry out the purposes of this Act.

Also:

S. 696. Relating to the commitment of mentally ill persons to the custody of the State Department of Mental Health; prescribing the procedures for the involuntary commitment of mentally ill persons, prescribing the duties and responsibilities of all persons and departments concerned with the commitment of mentally ill persons; providing for the rights of persons sought to be committed as mentally ill; providing for the payment of costs of proceedings for the commitment of mentally ill persons; providing for appeal to circuit court by persons committed as mentally ill; prescribing the jurisdiction of the probate court in regard to persons committed as mentally ill; providing for the transfer of mentally ill persons to facilities operated by the United States; and repealing conflicting laws.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 571. Pursuant to provisions of Section 155, Article VI of the Constitution of Alabama as amended (Section 6.16 of Amendment CCCXXVIII, proclaimed December 27, 1973), this bill creates and provides for Supernumerary-Retired Probate Judges in counties having a population of 300,000 and over, according to the last or any subsequent federal census, similar to and equal with provisions of law for Circuit Judges in such counties, and provides for continuation of service; creates and establishes the Probate Judges Retirement Fund in such counties for the purpose of providing for the payment of retirement and disability benefits for such judicial officers; prescribing the qualifications, term, duties, powers, authority, compensation and benefits of any such county Supernumerary-Retired Probate Judge of such counties; providing for payment of contributions into such fund by any eligible probate judge and for payments out of the county general fund or from fees and commissions collected by the probate court and paid into the county general fund. It provides for carrying out the provisions of this Act, and regulates the administration and supervision thereof.

Also:

H. 38. To provide for the transfer to the Teachers' Retirement System of Alabama of all janitors, maids, cafeteria workers, and any other full time employees in public education covered under Section 12 of Act No. 515 of the 1945 Act, as amended, regardless of in what manner or on what basis paid; To provide for the eligibility and mandatory enrollment in the Teachers' Retirement System of Alabama of all persons hereafter assuming full time employment in public education; to provide for a six month period from the effective date of this Act in which any person in any of the aforementioned classifications who are not now members of the Employees' Retirement System under Section 12 of Act No. 515 of the 1945 Act, as amended, may decline to become a member of the Teachers' Retirement System by filing a written notice. Provide for credit of service prior to effective date of this Act for any persons in a hereinabove named classification who are not members of the Employees' Retirement System; And further to provide for necessary and proper appropriations to carry out the purpose of this Act.

Also:

H. 40. To further amend Section 364 of Title 52 of the Code of Alabama 1940, as amended, which relates to credit for military service and to provide for necessary and proper appropriations to carry out the provisions of this Act.

Also:

H. 1433. To regulate and promote the public health and to bring the laws of Alabama into conformity with PL-93-641, the "National Health Planning and Resources Development Act of 1974" (42 USC 300-k, et. seq.); designate the State Board of Health as the state health planning and development agency; authorizes the State Board of Health to develop and adopt a State Health Plan and a State Medical Facilities Plan, and do such functions that may be necessary to that purpose and to facilitate state health planning policy, augment area-wide and State planning for health services, manpower, and facilities; authorize the State Board of Health to administer the State's health care facility construction and development program; to promulgate and adopt rules, regulations and standards for the health planning and health care facilities construction and development programs. Part 1 of the Act designates the State Board of Health as the sole and official state planning and development agency; authorizes the State Board of Health to establish such internal bureaus and divisions, with professional staffs, as may be

necessary to carry out the Act; and, authorizes and empowers the State Board of Health to adopt rules, regulations and standards governing health planning and health care facility construction, and to provide for fair hearings. Part 2 designates the State Board of Health as the sole and official state agency to prepare and adopt a State Health Plan; establishes and sets forth the membership and powers of a Statewide Health Coordinating Council; defines the functions of Health Services Agencies; authorizes the cooperation of the state officials and agencies; and authorizes the State Board of Health to receive and administer funds for health planning. Part 3 names the State Board of Health as the sole and official state agency to receive and administer funds for the health care facilities construction program; authorizes the State Board of Health to prepare and adopt a Medical Facilities Plan; authorizes the construction and operation of public hospitals and health centers; authorizes the State Board of Health to receive federal, state and other funds for hospital construction and to contract for health care facilities construction; authorizes the acquisition and disposition of property.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1472. To further amend Section 5 of Act No. 21, H. 28, 1969 Extraordinary Session (Acts of 1969, p. 46; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 188 (5)), as amended, entitled "An Act To raise revenue; to levy a privilege or license tax against certain persons and utilities on account of the furnishing of certain utility services; to prescribe the rates thereof and exclusions therefrom; to provide for issuance of a utility license; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all laws in conflict with this Act;" so as to exclude gross sales and gross receipts derived from electricity used or consumed in a process for the isotopic enrichment of uranium and certain other uses.

Also:

H. 507. To amend Section 5 of Act No. 37, H. 175, 1969 Extraordinary Session (Acts of 1969, p. 88; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 188 (14)), entitled "An Act To raise revenue; to levy an excise tax on account of the use, storage or consumption in the State of Alabama of certain utility services; to prescribe the rates thereof and exclusions therefrom; to provide the method of collecting such tax and the method of enforcing payment thereof; to provide for the disposition of the proceeds from the said tax; and to repeal all

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laws in conflict with this Act," so as to exclude electricity used or consumed in the isotopic enrichment of uranium from taxation under the provisions of the act.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 86. To amend Title 52, Section 41, as amended, Code of Alabama 1940, which relates to the appointment, term, qualifications and salary of the State Superintendent of Education so as to raise the top annual salary that can be paid to the State Superintendent of Education and provides that the State Board of Education may enter into a contract with the State Superintendent of Education for his services for a period not to exceed four years.

Also:

S. 628. To authorize and provide for the payment out of the county treasury of pension or retirement allowances, under certain circumstances, to judges of the county court in any county in the Sixth Judicial Circuit.

Also:

S. 1036. To create an additional judgeship for the Sixth Judicial Circuit of Alabama and provide for the election, term, compensation, powers, duties and authority of such judge.

Also:

S. 1070. Relating to the 14th Judicial Circuit; to provide for an additional Circuit Judge in such Circuit; defining his jurisdiction, powers, rights and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

Also:

S. 92. To provide for the enactment of and make Alabama a party to the Southern Growth Policies Agreement.

Also:

S. 301. To amend Act No. 21, H. 28, Special Session 1969 (Acts 1969, p. 46) as amended and as also appearing as Title 51, Sections 188 (1) - 188 (9), Code of Alabama, 1940, which relates to the levying of a gross receipts tax on utilities, so as to exclude public schools including but not limited to all institutions of higher learning, junior colleges, and trade schools of this state from the provisions of said act.

Also:

S. 306. To amend Section 5 of Act No. 266, Acts of Alabama, 1961 Special Session, p. 2282, so as to provide what shall constitute prima facie evidence of spear fishing.

Also:

S. 315. To amend Sections 3, 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an Act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that all of Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

Also:

S. 322. To provide a uniform issuance fee for all licenses sold by the Game and Fish Division of the Department of Conservation and Natural Resources; to make it unlawful to charge more than the fee authorized herein; and to provide a penalty.

Also:

S. 354. To amend Act No. 224, S. 68 of the Regular Session of 1965 (Acts of 1965, p. 315), entitled "An Act To require that those buildings and facilities constructed in the state by the use of state, county or municipal funds shall adhere to the principles prescribed by this Act, so as to make these buildings and facilities accessible to and usable by the physically handicapped," so as to eliminate the detailed specifications and standards from the law, and to authorize the state fire marshal to prescribe and adopt standards and specifications for the buildings, premises and facilities to which this Act applies, which will make such buildings, premises, and facilities accessible to and functional for the physically handicapped; to authorize and provide for the granting of waivers of particular standards or specifications under certain circumstances and for such purposes amending Sections 1 and 10 of said Act and repealing Sections 4 through 9, inclusive, of such Act.

Also:

S. 712. To amend Section 401, Title 51 of Code of Alabama 1940, so as to define further, gross income of a corporation which adopts a plan of complete liquidation in accordance with Section 337 of the Internal Revenue Code of the United States, and to amend Code of Alabama Title 33, Section 9 relative to filing notice of a tax lien under the provisions of federal law.

Also:

S. 845. To authorize every municipality in the State of Alabama and certain public corporations to transfer and convey, without an election, any gas system or part thereof, now or hereafter owned by such municipality or public corporation to any utility corporation subject to regulation by the Alabama Public Service Commission; to require prior approval by the said Commission of any such transfer and conveyance



and of the terms thereof; to require that any such transfer and conveyance be made for not less than fair market value as determined by the said Commission; and to require prior approval, by each municipality which authorized, consented to, or made determinations prerequisite to the incorporation of a particular public corporation, of any such transfer or conveyance by such public corporation.

Also:

S. 925. To authorize any county in the state to acquire any water works plant or distribution system owned by a municipality or public corporation within such county and to assume any indebtedness connected therewith; to authorize any municipality in the state to sell or convey any such water works plant or water distribution system, or both, to the county in which the system is located, upon the assumption of any indebtedness connected therewith, without an election; and to require publication of a notice with respect thereto.

Also:

S. 1018. Relating to elections; to define "primary elections"; to provide party may choose to come under law; to define "political party"; to define the term "total vote"; to provide which elections are within the law; to provide for the date of elections; allows party to elect convention delegates by presidential preferential primary; to provide for party committees and their election; to provide for payment of expenses of primary elections; to provide method of filing declaration of candidacy and require party chairmen to certify such candidates; to require candidates to be eligible to hold office; to provide for public notice to election; to establish who may vote in primary; to allow parties to assess fees against candidates; to allow candidates to nominate election officers and provides for oath of said officers; to provide for official ballots and election stationery; to provide for ballot boxes and voting machines to be used; to provide official form of ballot; provides method of challenging voters; to provide regulations for handling challenged ballots; to provide methods of casting votes; to provide for poll watchers; to provide for assistance to voters unable to read English; to provide duties of sheriff; to provide time of counting ballots; to provide for disposition of ballots, lists and supplies; to require public proclamation of the result; to provide for tabulation and declaration of results by precinct; to provide for declaration of candidate or nominee; to provide for date of second primary; to provide for breaking tie votes; to provide for certification of nominees to probate judge; to provide for filling vacancies in nominations; to provide for method, time and place of mass meetings; to provide penalties for violation of mass meeting law; and to repeal Code of Alabama 1940, Title 17, Chapter 2.

McDOWELL LEE,  
Secretary.

### SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 158. Mourning the death of former Senator L. L. "Dago" Dozier.

Also:

S. J. R. 161. Creating a joint interim committee to study the permanent financing of Jefferson County Health Department and Transit Authority.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 300. To amend Act No. 37, H. 175, Special Session 1969 (Acts 1969, p. 88) as amended and as also appearing as Title 51, Sections 188 (10) - 188 (18), Code of Alabama, 1940, which relates to the levy of a service use tax on utilities, so as to exclude public schools including all institutions of higher education, junior colleges and trade schools of this state from the provisions of said act.

Also:

S. 307. To make unlawful the selling of certain game fish caught or taken from any of the fresh waters of this or any other state, providing certain exceptions and prescribing the penalty for violations.

Also:

S. 409. To create an additional Judgeship of the Twenty-Second Judicial Circuit, to be designated Circuit Judge Number Two; to provide for his appointment and election, jurisdiction, powers, duties, authority, and qualifications; to render him liable to all the pains and penalties of other Circuit Judges of the State of Alabama; and to provide for and fix the salary of such Judge.

Also:

S. 576. To amend Section 19 of Title 51 of the Code of Alabama 1940 to provide for capital improvements and maintenance at the Confederate Memorial Park located at Mountain Creek, Chilton County, thereby indicating respect for the resting place of valiant Confederate soldiers.

Also:

S. 683. To further amend Act Number 753 approved September 12, 1969, creating The Alabama Constitutional Commission.

Also:

S. 704. To provide for eligibility of Supernumerary District Attorneys by amending Section 1 of Act No. 1873, S. 255, 1971 Regular

Session, Acts 1971, p. 3053 [(now appearing in Code of Alabama Recompiled 1958, Title 13, Section 260 (11b)], as amended.

Also:

S. 901. Relating to the Twenty-Fifth Judicial Circuit; providing for an additional circuit judge in such circuit.

Also:

S. 102. To amend Section 1 of Act No. 1515, H. 37, 1971 Regular Session [Acts of 1971, p. 2629; now appearing in Code of Alabama, Recompiled 1958, Title 8, Section 30 (1)], entitled "To provide for the cost of and establish the procedure for obtaining an annual resident state hunting license"; so as to provide for the issuance of a permanent lifetime hunting license for all residents over 65 years of age at no cost and upon the payment of nominal issuance fee; repealing Act No. 546, S. 437, 1965 Regular Session [Acts of 1965, p. 796; now appearing in Code of Alabama, Recompiled 1958, Title 8, Section 31 (1)].

Also:

S. 308. To designate the Largemouth Bass as the official fresh water fish of Alabama.

Also:

S. 772. To provide for a treatment program for persons suffering from hemophilia and related diseases, and the administration therefor; and appropriating \$300,000 from the Special Education Trust Fund for the purposes of this act.

S. 400. To implement the new Judicial Article of the Alabama Constitution (Amendment No. 328 approved December 18, 1973); by establishing a unified judicial system for the state; by establishing a new state court of limited jurisdiction to be known as the District Court of Alabama, having uniform jurisdiction, procedures and costs; by authorizing the establishment of municipal courts having uniform jurisdiction, procedures and costs; by providing that the state bear the cost of personnel and operation of the circuit and district courts; by making appropriations for the payment of salaries, pensions and other costs of the unified judicial system, except the courts of probate and municipal courts; by amending various sections of the Alabama Code of 1940 and subsequent statutes as required to make effective the unified judicial system. The contents of this Act are organized as follows:

The judicial authority of the state is vested in a unified system; amending Section 1 of title 13 of the Code of Alabama, 1940, to reflect constitutional provisions.

The jurisdiction of the circuit court and powers of presiding circuit judges are described with amendments to the Code of Alabama reflecting the new court structure; presiding circuit judge has general supervision of judges and other officers; circuit court has jurisdiction of appeals from municipal and district courts.

Repeals sections 157, 158, 159, 179, 180 and 181 of title 13 of the Code of Alabama, 1940; amends sections 115, 123, 172 of the Code of Alabama, 1940.

Provision is made for probate judges' election to come under the judicial retirement act; amount of benefits specified.

The district court established; effective January 16, 1977; civil and criminal jurisdiction; number of judges and places of holding court;

election, compensation and retirement of district judges; provision for primary and secondary system of trails; uniform traffic ticket procedure; preliminary hearing jurisdiction; use of magistrates; district attorney responsible for prosecution; provision for a district court within geographic bounds constituting a district, designating places within districts where court must be held; transfer of cases from present county and other courts; jurisdiction of civil cases up to five thousand dollars (\$5,000.00); special docket for small claims up to five hundred dollars (\$500.00); jurisdiction of involuntary commitment cases, if transferred from probate court; jurisdiction of juvenile cases; exclusive criminal jurisdiction in misdemeanor cases except those in municipal courts; authority to receive guilty pleas in all felonies not involving death penalty.

Repeals sections 313, 314, 315-341, 345, 346, 349 and 384-406 of title 13 of the Code of Alabama, 1940; repeals Act No. 764, approved September 17, 1953; and Act No. 535, approved January 1, 1954.

Jurisdiction of juvenile cases placed in district court; civil, criminal and delinquency procedures and rules regarding juveniles established; age of juveniles revised; appointment of referees; probation services; advisory boards; scope of jurisdiction; delinquency, custody, commitment, child abuse, offenses against children, paternity, desertion and non-support; investigations and complaints; court custody, detention and shelter care; transfer to criminal court; right to counsel; disposition of neglected and delinquent children; guardians ad litem; confidentiality of records; adult offenses; and appeals.

Repeals sections 350-383 of title 13 and sections 239, 252 (a8), 252 (a9), 252 (a10), 252 (a11), 252 (a12), 252 (a13), 252 (a14), 252 (a15), and 252 (a16) of title 45 of the Code of Alabama, 1940.

Providing for security and protection of judicial facilities; advisory and standing committees; court facilities; travel expenses of appellate court personnel; publishing and construction of rules; coordination and use of appropriations; voluntary diminution of compensation; use of special judges; provisions for senior associate justices to perform duties of chief justice when chief justice unable to act; supernumerary justices or judges and their dependents' rights and benefits; additional permanent duties for designated district court judges; procedure when bill introduced to increase or decrease number of judges or change boundaries of circuit or district; and local legislation affecting the judiciary.

Provision for phased assumption by the state of employment and compensation of personnel of district and circuit courts, beginning October 1, 1977; protection of local retirement rights of county employees transferred to state; compensation of circuit clerks; employee benefits for transferred personnel; positions of confidential secretaries for judges and clerks and bailiffs for judges; court reporters and referees; office of register abolished when present positions become vacant; compensation of registers; court reporters compensation; and supernumerary clerks and registers.

Establishment of municipal courts with uniform jurisdiction, procedures and costs; procedures for abolition of municipal courts by municipalities, transfer of jurisdiction to district court, and apportionment of fines; procedures for re-establishment of municipal courts; appointment and qualification of municipal judges; bail on personal recognition, fines, jail, suspended sentence, probation; appeals to circuit court; arrest and search warrants; and use of magistrates.

Repeals sections 582-600 of title 37 of the Code of Alabama, 1940; repeals Act No. 403, approved August 16, 1965; Act No. 665, approved September 6, 1961; and Act No. 1108, approved September 12, 1969.

Provision for the presiding circuit judge to administer the indigent defense system; allows local option regarding type defense services provided; establishes an advisory indigent defense commission in each circuit; authorizes establishment of a public defender system in any circuit, paid by the state; and provides for compensation of appointed counsel by the state.

Repeals a portion of section 2 of Act No. 2421, approved October 1, 1971; and amends section 1 of Act No. 2420, approved October 1, 1971.

Probation services conformed to unified court system; provides maximum probation period of five years for felonies and two years for misdemeanors, and for termination of probation.

Amends sections 19, 23 and 24 of title 42 of the Code of Alabama, 1940.

Defines the duties and authority of administrative director of courts as assistant to chief justice as administrative head of judicial system; provides for personnel policies; provides for the attendance by judges and personnel of judicial system at educational conferences and meetings; provides for study and supervision of programs relating to the administration of justice, and coordination and use of judicial funds from appropriations and grants by the director.

Provides for authority to administer oaths and require testimony and production of records by judicial compensation commission established by the Constitution; and provides for payment of expenses of the commission.

Provides per diem compensation for members of judicial inquiry commission who are not judges in amount of one-half of one percent of annual salary paid by the state to circuit judges.

Provides for expenses of the court of the judiciary and reporter.

Provides for representation of district, municipal and probate judges on judicial conference; amending Act No. 118, approved January 12, 1972.

Provides for assumption by the state of expenses of district and circuit courts, phased over three fiscal years; provides that counties continue to be responsible for construction, maintenance and operation of courtrooms and facilities, and for transfer of title to equipment and furniture to the state; establishes uniform fees and court costs in circuit and district courts; provides for distribution of fees, costs, and fines between state and municipality.

Repeals sections 1, 10, 11, 13, 18-26, 34, 38, 40-43, 55, 59-63, 65, 67, 72-76, 81-83, 85, 86, 89-91, 96 97, 100-102 and 112 of title 11 of the Code of Alabama, 1940; repeals Act No. 742, approved September 23, 1957; Act No. 58, approved June 1, 1945; section 1 of Act No. 741, approved September 23, 1957; sections 1 and 2 of Act No. 570, approved September 16, 1963; Act No. 311, approved July 28, 1949; section 1 of Act No. 575, approved July 7, 1943; Act No. 573, approved July 7, 1943; Act No. 413, approved July 7, 1945; Act No. 483, approved July 7, 1945; and Act No. 177, approved July 21, 1947; amends sections 2-4, 6, 7, 35-37, 39, 56, 57, 64, 92-95, 98, 104-108, 110 and 113 of title 11 of the Code of Alabama,

1940; and amends section 2 of Act No. 625, approved September 4, 1951; and a portion of section 2 of Act No. 2421, approved October 1, 1971.

Provides for state appropriations for Act.

Provides for severability of provisions of Act in proper case; repealer of existing laws inconsistent with Act; and establishes effective date of Act where individual articles or sections do not establish such, and of individual articles or sections.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 430. Creating an interim committee to study the tax structure of the State of Alabama and the distribution of tax revenues.

Also:

H. J. R. 438. Congratulating Mr. and Mrs. Bill Bayley and their staff on the wonderful seafood supper they prepared for the legislature and the legislative staff.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

#### SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1488. To provide that the Shelby County Commission is authorized to provide an additional expense allowance to certain county officers.

Also:

H. 803. To amend Sections 6, 7 and 10 of Act No. 727, H. 1714, 1973 Regular Session (Acts of 1973, p. 1086) relating to Bibb County so as to

provide further for the method of compensation of the probate judge and his assistants, the assistants of the circuit clerk and to change the effective date as to the probate judge and his assistants to July 1, 1975.

Also:

H. 1684. Relating to the sale of agricultural liming materials; to regulate the manufacture, sale and distribution of agricultural line or liming materials by requiring such manufacturers, distributors or sellers thereof to obtain an annual permit from the Commissioner of Agriculture and Industries, prescribing the fee therefor; requiring such product to be labeled; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; to levy an inspection fee upon agricultural liming materials based upon the sale thereof; providing for the assessment and payment of monetary penalties where agricultural liming materials are deficient pursuant to standards or requirements as fixed by the State Board of Agriculture and Industries; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 22 of Chapter 1 of Title 2 of the Code of Alabama of 1940.

Also:

H. 556. To amend Section 6, as amended, and Section 7 of Act No. 27, S. 30, Regular Session 1949 [Acts 1949, p. 39-42 now appearing in Code of Alabama, Recompiled 1958, Title 55, Sections 133 (1) and 140 (1) [entitled "An Act To prescribe further regulations governing the publication of the acts and journals of the Legislature; imposing additional duties upon the Secretary of the Senate, the Clerk of the House, and Legislative Reference Service, and prescribing penalties for neglect of duty; superseding Sections 125, 126, 127, 129, 130, 131, 133, 134, 140, 141, 142, 143, and 144 of Title 55 of the Code of Alabama (1940)"] so as to change certain procedures relating to the printing, publication and distribution of the acts and journals of the legislature and to repeal conflicting statutes.

Also:

H. 1804. This Act shall be known as the "Alabama Catfish Marketing and Consumer Act of 1975"; allow for the orderly marketing and easy consumer identification in the retail market place of catfish products produced or processed in the State of Alabama; and for related purposes.

Also:

H. 66. To require the granting, under certain circumstances, of either overtime pay or compensatory leave to law enforcement officers in the service of the state.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE  
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1278. Relating to Lawrence County; to provide that a certain percentage of the proceeds accruing to the Alabama Department of Aeronautics from any rental or lease agreement covering certain lands in said county shall be deposited to the Lawrence County general fund; requiring all such leases to be let on a competitive bid basis.

Also:

H. 1518. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

Also:

H. 1866. Relating to DeKalb County; authorizing the DeKalb County Commission to levy an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

And finds same correctly enrolled with Executive Amendments.

TOM DRAKE,  
Chairman.

## SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE  
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 43. To provide for the reopening of the Employees' Retirement System of Alabama to those employees who were in service on October 1, 1974, who declined membership at the time of establishment, and to those who have non-membership service but who later joined the Employees' Retirement System; also reopens said System to employees who were in service on October 1, 1974, who have creditable service for which they are ineligible to gain credit for reasons other than non-membership; also to provide a redetermination of benefits for members retired prior to October 1, 1975; and further to provide for necessary and proper appropriations.

Also:

H. 500. To provide salary increases for certain state employees; and to appropriate funds therefor.



Also:

H. 1547. Relating to the First Judicial Circuit; providing for an additional circuit court judge in such circuit, and providing for the designation of judgeships upon the expiration of existing terms of office; and provides for the maintenance of an office for circuit judges in Clarke County.

Also:

H. 63. To amend Section 1 of Act No. 515, HB 93, approved July 9, 1945 (General Acts 1945, p. 734) as amended (Title 55, Section 456, Code of Alabama 1940, Recompiled 1958, and as amended), which relates to the Employees' Retirement System of Alabama; so as to provide that the "average final compensation" used to calculate a member's retirement benefit will be based upon the three (3) years, rather than the five (5), of the final ten (10) years of membership service in which earnable compensation is highest. To also provide for the redetermination of all retirement allowance payments due on or after October 1, 1975, to members who retire prior to said date. Also to provide for necessary and proper appropriations to carry out the provisions of this Act.

Also:

H. 476. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Also:

H. 271. To make appropriations for the support and maintenance of the Walker County Junior College located at Jasper, in Walker County.

Also:

H. 584. To make appropriation for the support and maintenance of the Tuskegee Institute located in Macon County for the next fiscal year.

Also:

H. 457. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Also:

H. 488. To make appropriations for the support and maintenance of Talladega College.

Also:

H. 198. To amend further Section 366 of Title 52 of the Code of Alabama 1940, as amended, which relates to the Teachers' Retirement System of Alabama, so as to provide for 2.0125% formula in calculating retirement benefits and to provide for the removal of the 80% of average final compensation restriction on retirement benefits; also provides for a redetermination as of October 1, 1975; also provides for a clarification of the corporate powers of the Retirement Systems of Alabama; and further provides for necessary and proper appropriations.

Also:

H. 199. To provide that in the event Section 366 of Title 52 of the Code of Alabama 1940, as amended, provides, at the time this Act becomes effective, that the formula factor for computing teachers' retirement benefits shall be 2.0125%, then any retired teacher and/or any teacher who retires hereafter, who does not receive a 15% net gain in

retirement benefits by operation of the formula increase, shall receive an additional amount which shall be sufficient, when added to result in a "post-formula increase" net gain in benefits equal to, but not exceeding, 15% of such member's prior benefit entitlements; also to provide for all necessary and proper appropriations.

Also:

H. 97. In addition to any law or part of any law contained and appearing in Chapter 14 of Title 52 of the Code of Alabama 1940, as amended, which relates to the Teachers' Retirement System of Alabama, to provide for the retirement under the Teachers' Retirement System of any teacher, regardless of age, who is a member of the Teachers' Retirement System, and who has thirty years of creditable service; also provides for a clarification of the corporate powers of the Retirement Systems of Alabama; and to provide for necessary and proper appropriations.

Also:

H. 1562. To amend Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), which act creates the Alabama Historical Commission, so as to provide further for the employment by the said commission of certain personnel.

Also:

H. 1778. To make a conditional appropriation from the general fund of the State Treasury to the Alabama Historical Commission of the sum of Five Hundred Thousand (\$500,000.00) to be used for the purpose of fully restoring Fort Toulouse and to develop the Fort Toulouse Complex.

Also:

H. 1184. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 421. Creating an interim committee to study the formulae for the distribution of funds to the state universities, junior colleges and trade schools.

McDOWELL LEE,  
Secretary.

H. 489 RESUMED

MOTION TO NON-CONCUR IN SENATE AMENDMENT

Mr. McCorquodale offered the motion that the House concur in and adopt the Senate amendment to the bill, H. 489.

SUBSTITUTE MOTION TO NON-CONCUR

Mr. Johnson offered the substitute motion that the House non-concur in the Senate amendment to the bill, H. 489.

MOTION TO TABLE LOST

The motion offered by Mr. Callahan to table the substitute motion offered by Mr. Johnson was lost.

Yeas 37; Nays 53.

*Yeas:*

Mr. Speaker, Armstrong, Biddle, Boles, Callahan, Coburn, Crawford, Crowe, Gafford, Glass, Gregg, Harris, Holley, Holmes, Howard, Jackson (F), Kennedy, Killian, Lee, McCluskey, McNees, Malone, Merrill, Mitchem, Moore (O), Owens, Rich, Sandusky, Shelton, Smith (C), Sonnier, Starkey, Taylor, Teague, Waggoner, Weeks and White.

—37

*Nays:*

Messrs.: Andrews, Baker, Barron, Brindley, Campbell, Carothers, Carter, Cates, Clark, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Greer, Hall, Harrison, Hill, Hilliard, Hines, Hopping, Jackson (R), Johnson, Johnstone, Kelley, Kinsey, LeFlore, Leonard, Lewis, Lutz, McMillan, McNair, Manley, Martin, Pegues, Plaster, Porter, Quarles, Riddick, Roberts, Robertson, Sasser, Smith (B), Smith (M), Sparks, Trammell, Turnham, Venable, Warren, Williams and Wyatt.

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SUBSTITUTE MOTION TO NON-CONCUR

The question was then on the substitute motion offered by Mr. Johnson that the House non-concur in the Senate amendment to the bill, H. 489.

SUBSTITUTE MOTION TO TABLE LOST

The substitute motion offered by Mr. Callahan to table the substitute motion offered by Mr. Johnson that the House non-concur in the Senate amendment to the bill, H. 489, was lost.

Yeas 40; Nays 55.

*Yeas:*

Mr. Speaker, Armstrong, Biddle, Boles, Callahan, Cates, Coburn, Cooper, Crawford, Crowe, Ford, Gafford, Glass, Harris, Holley, Holmes, Jackson (F), Kennedy, Killian, Kinsey, Lee, McCluskey, McCulley, McNees, Malone, Mitchem, Moore (O), Morris, Owens, Rich, Sandusky, Shelton, Smith (C), Sonnier, Starkey, Taylor, Teague, Waggoner, Weeks and White.

—40

*Nays:*

Messrs.: Albright, Baker, Barron, Brindley, Campbell, Carothers, Carter, Clark, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Greer, Gregg,

Hall, Harrison, Hill, Hilliard, Hines, Hopping, Howard, Jackson (R), Johnson, Johnstone, Kelley, LeFlore, Leonard, Lewis, Lockett, Lutz, McMillan, McNair, Manley, Martin, Merrill, Moore (W), Pegues, Plaster, Porter, Quarles, Riddick, Roberts, Robertson, Sasser, Smith (B), Smith (M), Sparks, Trammell, Turnham, Venable, Warren, Williams and Wyatt.

—55

#### SUBSTITUTE MOTION TO NON-CONCUR LOST

The question was then on the substitute motion offered by Mr. Johnson that the House non-concur in the Senate amendment to the bill, H. 489, and the substitute motion was lost.

Yeas 45; Nays 49.

#### *Yeas:*

Messrs.: Albright, Baker, Barron, Brindley, Campbell, Carothers, Carter, Cates, Dial, Drake, Edwards, Greer, Hall, Harrison, Hill, Hilliard, Hines, Hopping, Jackson (R), Johnson, Johnstone, Kelley, Kinsey, LeFlore, Leonard, Lewis, Lockett, Lutz, McNair, Manley, Martin, Merrill, Pegues, Plaster, Porter, Quarles, Riddick, Robertson, Smith (B), Smith (M), Sonnier, Sparks, Trammell, Warren and Wyatt.

—45

#### *Nays:*

Mr. Speaker, Andrews, Armstrong, Biddle, Boles, Callahan, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Folmar, Ford, Gafford, Glass, Gregg, Harris, Holley, Holmes, Howard, Jackson (F), Kennedy, Killian, Lee, McCluskey, McCulley, McNees, Malone, Mitchem, Moore (O), Morris, Owens, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Starkey, Taylor, Teague, Turnham, Venable, Waggoner, Weeks, White and Williams.

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#### MOTION TO CONCUR IN SENATE AMENDMENT LOST

The motion offered by Mr. Callahan that the House concur in the Senate amendment to the bill, H. 489, was lost.

Yeas 43; Nays 55.

#### *Yeas:*

Mr. Speaker, Armstrong, Biddle, Boles, Callahan, Coburn, Cooper, Crawford, Crowe, Ford, Gafford, Glass, Harris, Holley, Holmes, Jackson (F), Kennedy, Killian, Kinsey, Lee, McCluskey, McCulley, McMillan, McNees, Malone, Merrill, Mitchem, Moore (O), Morris, Owens, Rich, Sandusky, Shelton, Smith (C), Smith (J), Sonnier, Starkey, Taylor, Teague, Waggoner, Weeks, White and Williams.

—43

#### *Nays:*

Messrs.: Albright, Andrews, Baker, Barron, Brindley, Campbell, Carothers, Carter, Cates, Clark, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hines, Hopping, Howard, Jackson (R), Johnson, Johnstone, Kelley, LeFlore, Leonard, Lewis, Lockett, Lutz, McNair, Manley, Martin, Moore (W), Pegues, Plaster, Porter, Quarles, Reed, Riddick, Roberts, Robertson, Sasser, Smith, (B), Smith (M), Sparks, Trammell, Turnham, Venable, Warren and Wyatt.

—55

REPORT OF THE STANDING COMMITTEE  
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 284. Thanking the Decatur area for its hospitality to the Legislature.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE  
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 616. To provide for a retirement system for the sheriffs of the various counties within the state.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE  
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 334. To authorize the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including security medical facilities for persons requiring security during treatment, and a seed technology center and a seed processing facility and for the purpose of acquiring, constructing, and equipping a facility or facilities for the housing, training, education or rehabilitation of prisoners; to pledge the full faith and credit of the state for payment of the principal of and interest on said

bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds therefrom.

Also:

H. 638. An act relating to the development of small businesses; declaring the legislative intent to encourage state purchases from small businesses; requiring the Department of Industrial Relations office to assist small businesses and to otherwise coordinate activities relating thereto; providing that a meaningful percentage of state purchases and contracts be procured from small businesses; providing for interagency cooperation; providing for public hearings; requiring an annual report; authorizing appointment of an advisory council; providing an effective date.

Also:

H. 1764. To amend Section 46 of Act No. 414, Acts of Alabama of 1959, page 1073, known as the "Alabama Business Corporation Act," by adding at the end of the second paragraph thereof the following: "Provided, however, if a corporation is engaged in the business of banking, its books and records of account and minutes relating to the private financial affairs of borrowers and depositors shall not be subject to examination by such a stockholder or by his agent or attorney in the absence of an order of a court of competent jurisdiction, after inspection of such books and records of account and minutes in camera, that such examination is necessary; and said order shall be subject to review in the Supreme Court of Alabama on writ of mandamus. Provided further that if a corporation is engaged in the business of banking, its said books and records of account and minutes shall be deemed not to include any reports of examination by state or federal supervisory agencies"; to provide that the provisions of this act are severable; and to provide an effective date.

Also:

H. 1183. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and

interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

Also:

H. 335. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding a total of \$15,000,000.00 principal amount of General Obligation Bonds of the State of Alabama of which \$7,000,000 shall be for the acquisition, construction, equipment and improvement of mental health facilities, including security medical facilities for persons requiring security during treatment, and \$2,000,000 shall be for the acquisition, construction, equipment and improvement of a seed technology center and a seed processing facility, and \$6,000,000 shall be for the acquisition, construction and equipment of capital improvements, including, without limitation a facility or facilities for the housing, training, education or rehabilitation of prisoners.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 441. Creating a joint interim committee to study laws pertaining to the rules of the road and vehicular traffic.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

#### SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 1917. To provide for creation of a permanent joint highway committee of the Legislature to facilitate and coordinate a long-range

program of highway development in the state, to empower said committee to review long-range (20-year) highway development plans, review annual plans for highway construction, modification, maintenance and administration and annual budgets for the State Highway Department, which plans and budgets shall be submitted to said committee by the State Highway Department; to empower said committee to review priorities for all highway construction and modification projects under jurisdiction of the State Highway Department, to inspect performance of state highway functions, to conduct hearings, call witnesses and employ consultants, and to do all things necessary or desirable in connection with and incidental to the foregoing functions, and to require that all highway legislation be referred to said committee for its recommendations and approval.

And finds same correctly enrolled with Executive Amendment.

TOM DRAKE,  
Chairman.

#### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILL

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

And finds same correctly enrolled with Executive Amendment.

TOM DRAKE,  
Chairman.

#### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:



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H. 818. To make an appropriation from the Special Educational Trust Fund for the relief of Harry V. Schmidt.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO REQUEST NEW COMMITTEE ON CONFERENCE

Mr. Turnham offered the motion that a new Committee on Conference be appointed to reconcile the differences between the two Houses on the Senate amendment to the bill, H. 489.

MOTION TO TABLE LOST

The motion offered by Mr. Morris to table the motion offered by Mr. Turnham, was lost.

Yeas 18; Nays 67.

Yeas:

Messrs.: Baker, Boles, Callahan, Cates, Killian, LeFlore, Lockett, McCuskey, McCulley, Malone, Morris, Porter, Quarles, Sandusky, Smith (M), Teague, Waggoner and White.

—18

Nays:

Messrs.: Albright, Andrews, Armstrong, Barron, Brindley, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Folmar, Ford, Glass, Greer, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kinsey, Leonard, Lewis, Lutz, McMillan, McNair, McNees, Martin, Merrill, Mitchem, Naramore, Owens, Pegues, Plaster, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Starkey, Taylor, Trammell, Turnham, Warren, Weeks, Whatley, Williams and Wyatt.

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REPORT OF THE STANDING COMMITTEE  
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 421. Creating an interim committee to study the formulae for the distribution of funds to the state universities, junior colleges and trade schools.

And finds same correctly enrolled.

TOM DRAKE,  
Chairman.

## SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

## MOTION FOR NEW COMMITTEE ON CONFERENCE GRANTED

The question was then on the motion offered by Mr. Turnham that a new Committee on Conference be appointed to reconcile the differences between the two Houses on the Senate amendment to the bill, H. 489, and the motion was adopted.

Yeas 90; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Glass, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, LeFlore, Leonard, Lewis, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Malone, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

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Nay: Mr. Higginbotham.

—1

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 124. To amend Section 1 of Act 208, S. 34 Special Session 1966, [Acts 1966, p. 256, now appearing in Code of Alabama, Recompiled 1958, Title 55, Section 378 (2)], as amended, entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards," so as to redefine the term "peace officer" to include law enforcement officers of the Department of Conservation and Natural Resources, all law enforcement officers of the Alabama Forestry Commission, livestock theft investigator of the Department of Agriculture and Industries, and Capitol Security guards.

Also:

S. 131. To amend further the title and Sections 1 and 2 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, p. 549), providing for uniform gifts to minors so as to redefine the word "court" and to provide for the making of testamentary gifts under such act.

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Also:

S. 254. To exempt from the operation of the privilege or license tax and registration fee levied on automobiles and motor vehicles by the State of Alabama, one passenger vehicle owned by any officer, warrant officer, or enlisted person serving as an active member of any United States armed forces reserve organization and disabled veterans who meet certain requirements of residence in Alabama.

Also:

S. 782. To authorize full-time employees of the Tannehill Furnace and Foundry Commission to participate in any insurance programs provided for by state employees; to authorize the Tannehill Furnace and Foundry Commission to contribute any monies appropriated them for any purpose to carry out the provisions of this act, and to make payroll deductions from employees' salaries.

McDOWELL LEE,  
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 106. To amend Act No. 253, Special Session 1966 which exempts from civil liability certain persons who render emergency care at the scene of an accident, casualty or disaster, to read as follows:

McDOWELL LEE,  
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 138. To require every person using, operating or driving a motor vehicle upon or over the roads and highways of the State of Alabama to bring said motor vehicle to a complete stop when approaching a church bus, or other vehicle used in transporting persons to and from church, while said church bus or other vehicle used in transporting persons to and from church is engaged in taking on or discharging passengers and prescribing the penalty for violating the provisions of this act.

Also:

S. 473. Providing that committees of dentists appointed or formed as Utilization Review and Quality Control Committees, Peer Review Committees and Professional Standards Review Committees shall not be deemed liable in damages for actions taken or recommendations made when acting in good faith on facts reasonably known to exist.

Also:

S. 616. To provide that the annual sessions of the legislature shall commence on the first Tuesday in February of each year.

Also:

S. 659. To amend Sections 1 and 2 of Act No. 399, H. 318, 1967 Regular Session (Acts 1967, p. 1002), and Sections 4 and 7 of Title 51, Code of Alabama 1940, as amended, which relate to applications for exemptions of factories, industries, and plants from ad valorem tax, so as to extend the time for making applications for exemptions for a shorter duration of time.

Also:

S. 657. To provide for compensation for services to patients under insurance coverage, whether rendered by a physician or dentist, so long as the provider acts within the scope of his licensure.

Also:

S. 670. To require that the name of any person appointed to a position in state government which requires confirmation by either house of the legislature be submitted for confirmation by either house of the legislature before the tenth day of the next regular session; to make any state official liable for the amount of salary he pays to an appointee who is not confirmed.

Also:

S. 1060. To create the Scholarship and Loan Commission of Covington County for the purpose of providing loans and scholarships to persons who plan a career in medicine, and to establish a fund for the fulfillment of the purpose of this Act.

Also:

S. 542. To further amend Section 49 of Title 36, Code of Alabama (1940) as recompiled, 1958 for the Highway Director to regulate the Test, Approval and Sale of Traffic Sign, Signal and Regulatory Devices used on any street or highway in the State of Alabama.

Also:

S. 557. To amend Section 47, Title 36, Code of Alabama, 1940, by requiring the highway department to adopt a manual and specification for a uniform system of traffic control devices and to place such devices on all state highways and by forbidding local authorities from placing traffic control devices on state highways without permission of the highway department.

Also:

S. 627. To amend Section 14 of Act No. 247, H. 512, Special Session of 1932 (Local Acts of Alabama, Special Session of 1932, p. 98), which act

provides for a jury board in Jefferson County so as to allow persons not under twenty-one years and not over seventy years of age to serve as jurors in said county.

Also:

S. 553. To prohibit the backing of a vehicle onto a controlled-access highway and prohibits the backing of a vehicle in other places unless the movement can be made safely and without interference with other traffic.

Also:

S. 768. Relating to the registration of cotton buyers; providing for a registration fee; prohibiting certain acts and providing a penalty; and declaring an emergency.

Also:

S. 775. To amend Section 21 of the Professional Corporation Act (Acts of 1971, p. 4524, now appearing in Code of Alabama, Recompiled 1958, Title 46, Section 366), so as to allow a consolidated or merged professional corporation to render both medical and dental services within a single professional corporation.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

#### COMMITTEE APPOINTMENTS

Under the provisions of S. J. R. 91, the Speaker of the House of Representatives appointed Messrs. Cates, Holmes and Moore (O) as House members of the Joint Interim Committee to study grants received by various State departments and agencies.

Under the provisions of S. J. R. 98, the Speaker of the House of Representatives appointed Messrs. Kinsey, Carter, Venable and Shelton as House members of the Joint Legislative Committee to study the feasibility of a state-wide group comprised of state employees and educators for hospital-medical insurance.

Under the provisions of S. J. R. 101, the Speaker of the House of Representatives appointed Messrs. Whatley, Campbell and Cross as House members of the Joint Interim Committee to study agricultural chemical products.

Under the provisions of S. J. R. 128, the Speaker of the House of Representatives appointed Messrs. Carter, Higginbotham and Folmar as House members of the Joint Interim Study Committee to investigate allegations with respect to the Fairhope single tax corporation.

Under the provisions of S. J. R. 130, the Speaker of the House of Representatives appointed Messrs. Gafford, Owens, Biddle and Manley as House members of the continuing Interim Committee on Finance and Taxation.

Under the provisions of H. J. R. 6, the Speaker of the House of Representatives appointed Messrs. Kinsey, Hines, Sonnier and McCulley as House members of the Select Committee to study the best method of utilizing the natural resources of southwest Alabama.

Under the provisions of H. J. R. 139, the Speaker of the House of Representatives appointed Messrs. Andrews, White, Callahan, Moore (W) and Crawford as House members of the Joint Continuing Committee to study real estate licensing laws.

Under the provisions of H. J. R. 140, the Speaker of the House of Representatives appointed Messrs. Turnham, Mitchem, Sasser and Cooper as House members of the Joint Interim Committee for making an investigation and study relative to amending the probate law of Alabama to conform to the Uniform Probate Code.

Under the provisions of H. J. R. 368, the Speaker of the House of Representatives appointed Messrs. Manley, Vice Chairman, Lee, Harris, Lutz, Clark, Rich, Killian and Williams as House members of the Joint Interim Committee to study the feasibility of adopting a Revised Criminal Code for the State of Alabama.

Under the provisions of H. J. R. 410, the Speaker of the House of Representatives appointed Messrs. Harrison, Chairman, Glass and Ford as House members of the Interim Study Committee on the availability of safe and sanitary residential housing for low and moderate income families.

Under the provisions of H. J. R. 421, the Speaker of the House of Representatives appointed Messrs. Holley, Merrill, Brindley, Pegues and Smith (M) as House members of the Interim Committee to study the formula for the distribution of funds to the state universities, junior colleges and trade schools.

Under the provisions of H. J. R. 430, the Speaker of the House of Representatives appointed Messrs. Merrill, McCorquodale, Gafford, McCluskey, Coburn, McMillan and Morris as House members of the Interim Committee to study the tax structure of the State of Alabama and the distribution of tax revenues.

Under the provisions of H. B. 1917, the Speaker of the House of Representatives appointed Messrs. Sandusky, Jackson (F), Higginbotham, Crowe, Starkey, Biddle and Owens as House members of the permanent joint highway committee for long-range highway development in the State.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of S. J. R. 91, the President and Presiding Officer of the Senate announced the appointment of Messrs. Jones, Foshee and Owen as Senate members of the Joint Interim Committee to study grants received by various State departments and agencies.

Under the provisions of S. J. R. 98, the President and Presiding Officer of the Senate announced the appointment of Messrs. Mitchell, Wilson, Waldrop and Ellis as Senate members of the Joint Legislative Committee to study the feasibility of a state-wide group comprised of state employees and educators for hospital-medical insurance.

Under the provisions of S. J. R. 101, the President and Presiding Officer of the Senate announced the appointment of Messrs. Givhan (Chairman) and Mims as Senate members of the Joint Interim Committee to study agricultural chemical products.

Under the provisions of S. J. R. 128, the President and Presiding Officer of the Senate announced the appointment of Messrs. Baker and Flippo as Senate members of the Joint Interim Study Committee to investigate allegations with respect to the Fairhope single tax corporation.

Under the provisions of S. J. R. 130, the President and Presiding Officer of the Senate announced the appointment of Messrs. Little, Bank, McDonald (A) and McMillan as Senate members of the continuing Interim Committee on Finance and Taxation.

Under the provisions of H. J. R. 6, the President and Presiding Officer of the Senate announced the appointment of Messrs. Owen, Noonan and Perloff as Senate members of the Select Committee to study best method of utilizing the natural resources of southwest Alabama.

Under the provisions of H. J. R. 139, the President and Presiding Officer of the Senate announced the appointment of Messrs. Vacca, Wilson, Powell, Noonan and Adams as Senate members of the Joint Continuing Committee to study real estate licensing laws.

Under the provisions of H. J. R. 140, the President and Presiding Officer of the Senate announced the appointment of Messrs. Vacca, Edwards and Clemon as Senate members of the Joint Interim Committee for making an investigation and study relative to amending the probate law of Alabama to conform to the Uniform Probate Code.

Under the provisions of H. J. R. 368, the President and Presiding Officer of the Senate announced the appointment of Messrs. Perloff, Baker, Shelby, Roberts, Perry, Pearson, McMillan and St. John as Senate members of the Joint Interim Committee to study the feasibility of adopting a Revised Criminal Code for the State of Alabama.

Under the provisions of H. J. R. 410, the President and Presiding Officer of the Senate announced the appointment of Messrs. King, Clemon and Pearson (Vice-Chairman) as Senate members of the Interim Study Committee on the availability of safe and sanitary residential housing for low and moderate income families.

Under the provisions of H. J. R. 421, the President and Presiding Officer of the Senate announced the appointment of Messrs. Fine, Littleton and Shelby as Senate members of the Interim Committee to study the formula for the distribution of funds to the state universities, junior colleges and trade schools.

Under the provisions of H. J. R. 430, the President and Presiding Officer of the Senate announced the appointment of Messrs. Owen, Powell, Stewart, Edwards and Noonon as Senate members of the Interim Committee to study the tax structure of the State of Alabama and the distribution of tax revenues.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of H. B. 1917, Act 1218, the President and Presiding Officer of the Senate announced the appointment of Messrs. Fine, Foshee, Owen, Edwards, McMillan, Torbert and Bank as Senate members of a permanent joint highway committee for long-range highway development in the State.

McDOWELL LEE,  
Secretary.

## CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:10 P.M. On October 9, 1975.

H. J. R. 343  
H. J. R. 407  
H. J. R. 408  
H. J. R. 414  
H. J. R. 415  
H. J. R. 423  
H. 1739  
H. 1962  
H. 356  
H. 1939  
H. 1952  
H. 1954  
H. 1955  
H. 1956  
H. 1958  
H. 1953  
H. 1965  
H. 1966  
H. 1967  
H. 1968  
H. 1969  
H. 1949  
H. 90  
H. 1716  
H. 1454  
H. 1914  
H. 1046  
H. 860  
H. 291  
H. 451  
H. 222  
H. 843  
H. 1208

Delivered to the Governor at 3:30 P.M. On October 9, 1975.

H. 80  
H. 39  
H. 640  
H. 788  
H. 88  
H. 119  
H. 463  
H. 1628  
H. 1669  
H. 1946  
H. J. R. 424  
H. J. R. 425  
H. J. R. 426  
H. 405  
H. 1623



REGULAR SESSION  
36th Day

4499

H. 816  
H. 948  
H. 748  
H. 1195  
H. 949  
H. 1370  
H. 1371  
H. 1372  
H. 1374  
H. 316  
H. 318

Delivered to the Secretary of State at 3:30 P.M. On October 9, 1975.

H. 81  
H. 747

Delivered to the Governor at 5:30 P.M. On October 9, 1975.

H. J. R 353  
H. J. R. 402

Delivered to the Governor at 9:55 P.M. On October 9, 1975.

H. 1075  
H. 658  
H. 113  
H. 1243  
H. 1194  
H. 1373  
H. 1489  
H. 600

Delivered to the Secretary of State at 9:55 P.M. On October 9, 1975.

H. 390

Delivered to the Governor at 10:05 P.M. On October 9, 1975.

H. 490

Delivered to the Governor at 11:35 P.M. On October 9, 1975.

H. 43  
H. 500  
H. 1547  
H. 63  
H. 476  
H. 271  
H. 584  
H. 457  
H. 488  
H. 198  
H. 199  
H. 97  
H. 1562  
H. 1778  
H. 1184  
H. 383

Delivered to the Governor at 11:50 P.M. On October 9, 1975.

H. 1866  
H. J. R. 430

H. J. R. 438  
H. 1488  
H. 803  
H. 1684  
H. 556  
H. 1804  
H. 66  
H. 1278  
H. 1518

Delivered to the Governor at 11:52 P.M. On October 9, 1975.

H. 571  
H. 38  
H. 40  
H. 1433  
H. 1472  
H. 507

Delivered to the Governor at 11:58 P.M. On October 9, 1975.

H. 334  
H. 638  
H. 1764  
H. 1183  
H. J. R. 441  
H. 1917  
H. 1075  
H. 818  
H. J. R. 421  
H. 616  
H. J. R. 284

Delivered to the Secretary of State at 11:58 P.M. on October 9, 1975.

H. 335

JOHN W. PEMBERTON,  
Clerk.

REGULAR SESSION  
36th Day

4501

HOUSE OF REPRESENTATIVES  
OF THE  
STATE OF ALABAMA  
SESSION 1975

LOBBYIST REGISTRATION PURSUANT TO HOUSE RULES  
62 AND 63

Name	Name of Firm
Morris E. Adams	American Civil Liberties Union
Robert G. Adwell	Fraternal Order of Police
Mary Jane Akel	Alabama Education Association
A. D. Albright	International Union of Operating Engineers
Walter L. Allen	Association of Alabama Cemeteries Management Services, Inc. Alabama Motorists Association Natural Gas Association
W. Douglas Amos	Alabama League of Savings Associations
Gordon G. Andrews	South Central Bell
J. Knox Argo	American Insurance Association Alabama League of Savings Association
James E. Atchison	Alabama Trial Lawyers Mobile County Law Enforcement
C. F. Attaway	Alabama Society of Professional Land Surveyors
Cecil Aultman	Steelworkers Legislative Committee
C. E. Avinger	Southern Bancorporation
George F. Bailey, Jr.	Alabama Railroad Association
Schuyler A. Baker	Alabama Power Company
Lloyd Bandy	Alabama Asphalt Association
Engene A. Baril	General Telephone Company of the S. E.
Earl Barnett	Alabama Education Association
Charles Walter Bates	U. S. Pipe and Foundry Company
Ann Bell	Morgan County Board of Registrars
J. Robert Benton	Wine Institute
Peyton D. Bibb, Jr.	South Central Bell Telephone Company
Betty S. Blow	Alabama District Attorneys Association

William P. Boggs	Alabama Dry Docks and Shipbuilding Co.
Charles T. Braddock	Brotherhood of Maintenance of Railway
Jack Bradley	Steelworkers Legislative and Education Committee of Alabama
Stephen E. Bradley	Alabama Press Association
James Bethel Brand, Jr.	Associated Industries of Alabama
Jean S. Brandli	Coosa-Valley Telephone Company
Thelma Braswell	Alabama Education Association
Hulsey A. Bray, Jr.	Montgomery Area Chamber of Commerce
David C. Brown	University of North Alabama
Linda Brown	Wiregrass Labor Council
Gerald N. Brunson	Merck Sharp & Dohme
B. G. Bryant	Law Enforcement, F. O. P.
Robert A. Burdett	Alabama Crop Improvement Association, Inc.
Charles W. Burke	Distilled Spirits Council of the U. S.
Amy Burks	Alabama Education Association
Charles J. Burns	Alabama Trucking Association
Richard J. Burrell	Household Finance Corporation
William H. Burson	National Federation of Independent Business
N. P. Callahan, Jr.	Policemen's Retirement and Relief System of Birmingham
James W. Cameron	Alabama Fire Fighters Pension Fund
E. H. Cantrell	Alabama State Fraternal Order of Police
John P. Carlton	City of Birmingham
Bruce Carr	Laborers Int. Union of North America
John S. Casey	Alabama Bankers Association
E. T. Chambers	Home Builders Association of Alabama
Robert E. L. Choate	Alabama Retired Officers Association
James M. Christian	CIBA Pharmaceutical Company
James S. Clark	Central Bankshares of South
Robert M. Cleckler, Sr.	First National Bank, Childersburg
John W. Cloud	J. K. Davis—Law Enforcement

REGULAR SESSION  
36th Day

4503

Gerald E. Colson	Cullman County Life Underwriters Association
C. E. Cone	Montgomery Fire Fighters Association
Robert Pryor Conrad	Jefferson County Democratic Executive Committee
William J. Cook, Jr.	Hudson-Thompson, Inc.
Robert D. Cospier	Cullman City Education Association
John L. Cousins	Fraternal Order of Police
Ronald J. Creel	Mutual Savings Life Insurance Company
Dave Crosslin	Ala. Joint Council of Laborers
Warren B. Crowe, III	Alabama Association of Insurance Agents
George E. Cruitt	Alabama Employment Association
R. J. Cunningham	Alabama Association of Life Underwriters
Thom Dale	Alabama Education Association
Thomas S. Damson	Alabama Employment Association
James Rudolph Davidson	University of Alabama—Birmingham
S. L. Davis	Association of County Commissions of Alabama
David Y. Denholm	Public Service Research Council
Robert P. Denniston	C. W. Foreman & L. L. Appelt
J. L. Disque	Ciba-Geigy Corporation
Charlotte Dominick	Birmingham Children's Theatre
Chriss H. Doss	Jefferson County Commission
Maurice A. Downing	Mobile Bar Pilots Association
Billy S. Dykes	Alabama Education Association
Thomas M. Eden, III	Calvin M. Whitesell
Tom Eden	Alabama Textile Manufacturers Assoc.
Mary Alice Edgerton	Computer Election Systems
Robert S. Edington	Clyde Foreman Alabama Sand Owners, Royalty Owners Association
Cecil Eggers	Local Union No. 1314
C. Rhett Ellis	Alabama Society of Dispensing Opticians
Frederick T. Enslin, Jr.	American Insurance Association
G. E. Estess	Alabama Employment Association

Mark Ezell	Choctaw County
Robert B. Finley	State Department of Public Health
Edward P. Fitzgerald	Prichard Firefighters Local 1305
Jenny C. Flynn	Morgan Board of Registrars
Paul J. Folse	Mobile County Law Enforcement
Paul B. Ford, Jr.	Ford Finance Company
Cecil Frizzle	Hudson-Thompson, Inc.
William P. Fuller, Jr.	Student Government Association Auburn University
Thomas T. Gallion, III	American Mutual Insurance Alliance Alabama Automatic Merchandising Assoc.
James Franklin Gamble	National Guard Association of Alabama
Robert Berlie Geddie, Jr.	Alabama Petroleum Council
Tom Gloor	Jefferson County Commission
Joe W. Graham	Alabama Forestry Association
Billy Gray	Birmingham Fire Fighters Local 117
William Levert Green	U. S. Pipe and Foundry Company
Johnnie M. Greene	City of Gadsden Employees
Philip G. Hallam	Alabama Wholesale Beer and Wine Association, Inc.
D. N. Hamilton	Alabama League of Municipalities American Reciprocal Insurance Asso- ciation Alabama Bar Association The Circuit Clerks & Registrars Association
Reginald T. Hamner	Alabama State Bar
William Hanebuth	Alabama Education Association
Edward L. Hardin, Jr.	Alabama Trial Lawyers Association
George E. Hardy, Jr.	Jefferson County Health Department
Roosevelt A. Harris	Alabama Education Association
James Whitfield Hart, Jr.	Alabama Petroleum Council
Perry C. Hathcock	City of Gadsden Employees
Ralph W. Havard	Alabama Tax Assessor, Collector Assoc.
Frank H. Hawthorne	Alabama Power Company
J. E. Hendrix	State Law Enforcement Association, Inc.
Walter B. Henley	Alabama Trial Lawyers Association

REGULAR SESSION  
36th Day

4505

William E. Hewlett	Alabama Funeral Directors Assoc.
Jane Monnette Hinds	Common Cause
John M. Holloway	Credit Bureau of Montgomery
Kent L. Holloway	Associated Credit Bureaus of Alabama
Jerry M. Hood	International Brotherhood of Electrical Workers
John E. Horne	Alabama Rural Electric Association
Mike House	Permanent Study Commission
Paul R. Hubbert	Alabama Education Association
Mavanee R. Hudson	Alabama State Employees' Association
Fred Hendrix Hughes	Alabama Education Association
George E. Hutchinson	Alabama Nursing Home Association
Kenneth F. Ingram	Alabama Circuit Judges Association
Douglas E. Ivy	International Brotherhood of Electrical Workers
G. I. Jackson	CWA Local 10908
Elza S. Jason	Alabama Women's Political Caucus
Bruce Jetton	Alabama Trial Lawyers Association
Emmitt E. Jimmar	Alabama Education Association
Michael W. Johnsey	International Brotherhood of Electrical Workers
Gerald L. Johnson	Birmingham Association of City Employees
John B. Johnson	Alabama Petroleum Council
Wallace E. Johnson	Communications Workers of America
J. Reese Johnston, Jr.	Jefferson County
Ferrell S. Jones, Jr.	International Brotherhood of Electrical Workers
Franklin L. Jones	Container Corporation of America
Lucy Jordan	Tuscaloosa City-County Hospital Board
Jane L. Katz	League of Women Voters of Alabama
William M. Kelce	Alabama Surface Mining
Bob Kendall, Jr.	Alabama Railroad Association
A. M. King	Retail Credit Company
Tom King	City of Birmingham
William F. Kirchhaine	Beneficial Management Corporation of America

Atley A. Kitchings	South Central Bell Telephone Company
Harry B. Lackey	State Association of Probate Judges
Alex S. Lacy	Alabama Gas Corporation
Van Laird, Jr.	Alabama Education Association
Jesse E. Lanier	Jefferson County Mayors Association
	Alabama Citizens for Transportation
R. W. Lawley, Jr.	University of Montevallo
William R. Lawley, Jr.	Ala. Citizens for Transportation
Winston J. Leavell	National Management, Inc.
Riley L. Lewis, Jr.	Western Hill Trade Association, Inc.
Joe Lightsey	Alabama Education Association
Titus P. Lindsey	Wiregrass Labor Council
Robert Lipscomb	Alabama Education Association
Edwin K. Livingston	Alabama Tax Assessors and Collectors
Luther W. Livingston, Jr.	Pharmaceuticals
Wilburn R. Lollar	United Mine Workers of America
G. C. Long, Jr.	Alabama Hospital Association
Ginny Looney	Alabama Civil Liberties Union
Dexter Lowery	Public Service Employees Local Union 1279
Luther P. Ludolf	Birmingham Fire Department
B. J. Lumpkin	Alabama Fire Fighters Pension Fund Association
Fred Ray Lybrand	Alabama Bankers Association
James O. McCain	Alabama Association of Credit Executives
W. O. MacMahon, III	City of Birmingham, Municipal Govt.
Norman C. McBroom	Alabama State Barber and Beautician Association
Charles McDonald	Alabama Retail Association
Rex McDowell	Birmingham City Council
Alma McEnnis	Wiregrass Labor Council
Tom McGregor	Alabama Gas Corporation
Harry M. McMillan	Alabama Chamber of Commerce
Lloyd C. McNeill	Mead Corporation
Thomas M. Marr	City of Citronelle, Alabama
	Wine Institute, Atlanta, Georgia
Lonnie E. Martin	Alabama Association of Realtors



REGULAR SESSION  
36th Day

4507

Ruel B. Martin	United Auto Workers of Alabama
Phillip E. Mathers	I. B. E. W.
Charles T. Mathews	Alabama Farm Bureau
William Eugene Mathews	Alabama Association of Credit Executives
Oakley Melton, Jr.	Alabama Soft Drink Association
John W. Miller	Home Builders Association of Alabama
Largent M. Miller	Ala.-Miss. Independent Telephone Association
Robert E. Mills	International Brotherhood of Electrical Workers
John D. Milne	3-M Company
Ruby B. Middleton	Alabama State Chiropractic Association
JoJhn T. Mooresmith	Medical Association State of Alabama
John E. Morehead	International Brotherhood of Electrical Workers
Howard J. Morris, Jr.	Alabama Bankers Association
John W. Morrison	Communications Workers of America
Hugh Morrow, III	Watkins-Morrow and Company
Jerry D. Murdock	Alabama State Employees Association
Joseph C. Murphy	Alabama Education Association
James E. Nash	Alabama Lenders Association
Rebecca J. Neira	Alabama Education Association
Raymond O. Norris	Jefferson County Child Development Council
James L. North	The Medical Clinic Board of the City of Montgomery
David Ozment	Alabama Poultry and Egg Association
Milton K. Parsons	Alabama Farm Bureau Federation
Jean Peelen	Human Rights
J. Ed Pepperman	United States Brewers Association
Joy Ann Perry	LIUNA AFL-CIO Local 1317 L. I. U.
James E. Phelps	Association of Alabama Cemeteries
Peter P. Pierce, III	Exxon Company, U. S. A.
Earl C. Pippin	Alabama Consumer Finance Association
J. Curtis Poe	State Law Enforcement Association

Jack E. Pratt	Steelworkers Legislative Committee
Charles S. Price	South Central Bell Telephone Co.
John W. Price	Mobile County Law Enforcement Association
Vic Price	Alabama State Employees Association
William H. Price	Student Government Association Auburn University
Dr. Charles S. Prigmore	Faculty Coalition of University of Alabama
James R. Purvis	Public Employees Local No. 1317
Randy Quinn	Alabama Association of School Boards
Carlos L. Rabren	Department of Toxicology
W. C. Rawls	Communications Workers of America
Smith Rea, Jr.	Associates Capital Corporation Cumberland Capital Corporation
A. B. Reddick	Allstate Insurance Company
J. D. Reynolds	Alabama Public Health Association
Roy Rhodes, Jr.	Wiregrass Labor Council
Herbert S. Rice	Rice Acceptance Company, Inc.
Larry C. Rigsby	Jackson Hospital and Clinic Inc.
James I. Ritchie	Alabama Trucking Association, Inc.
Joseph G. Robertson	Alabama Society of CPA's
William R. Robertson	Associates Capital Corporation
Price E. Robinson	Professional Firefighters Association of Alabama
Frank E. Rogers	Jefferson County Sheriff's Dept.
Henry J. Rogers	Alabama Mining Institute
Perry Crawford Roquemore, Jr.	Ala. League of Municipalities
Charles Rowe	Jacksonville State University
Frank B. Ruffer	Alabama Asphalt Pavement Association
Robert J. Russell	Alabama Association of Realtors Associated General Contractors of America Alabama Veterinary Medical Association Alabama Association of Insurance Agents
Wayne F. Schweitzer	Air Transport Association
Curtis P. Sellers	University of Alabama
C. D. Sexton	Montgomery Fire Fighters Association

REGULAR SESSION  
36th Day

4509

O. H. Sharpless	Association of County Commissions of Alabama
L. L. Shertzer, Jr.	Alabama Road Builders Association
Sara Shipp	Alabama Education Association
W. C. Sigler	Communications Workers of America
T. Julian Skinner, Jr.	Alabama By-Products Corporation
Stanley M. Slater	Alabama Gas Corporation
Don R. Slatton	Home Builders Association of Alabama
Joseph E. Sloan	General Motors Corporation
Chris Smilie	Shaw Montgomery Warehouse
Carlton E. Smith	Alabama State Employees Association
Dr. John L. Smith	Citizen Impact
J. W. Smith	Mobile County Law Enforcement Assoc.
Maury D. Smith	United States Brewers Association
Paul M. Smith, Jr.	Alabama Education Association
Philip H. Smith	Alabama Institute for Deaf and Blind Talladega College
Timothy Scott Smith	Motor Vehicle Manufacturers Assoc.
William H. Smith	Alabama Sheriff's Association
Bennie L. Splain, Jr.	International Union of Operating Engineers
Taylor Spradley	Montgomery Fire Fighters' Association
Curtis H. Springer	Alabama Dairy Products Association
Theodore M. Stansell	Alabama Society of Dispensing Opticians Alabama Council-American Institute of Architects
Stanley R. Stefancic	Alabama Common Cause
Donald T. Stewart	I. B. E. W.
Roger J. Stone, Jr.	Public Service Research Council
Robert E. Strain	United States Steel Corporation
Harold E. Streetman	Automobile Dealers Association of Ala.
G. G. Strickland	City of Birmingham—Firefighters
Benjamin Stringer	Alabama Education Association
C. Ed Teague	Alabama Livestock Markets Association
Thomas W. Thagard, Jr.	Outdoor Advertising Association of Alabama
Frank L. Thiemonge, Jr.	Alabama Safety Council, Inc.

Richard Thigpen	University of Alabama
James O. Thorne	Huntsville Education Association
David M. Tiffany	University of South Alabama
Robert D. Timmons	Alabama Sheriff's Association
Frank Toohey	University of Alabama
A. G. Trammell	Alabama AFL-CIO
Alton L. Turner	Alabama Optometric Association
J. E. Turner	International Brotherhood of Electrical Workers
Robert L. Turner	Alabama Sheriff's Association
Larry Tyner	Weyerhaeuser Company
Kenneth W. Underwood, Jr.	South Central Bell Telephone Company
William R. Varner	City of Gadsden Employees
Howard R. Vaughan	Liberty National Life Insurance Co.
A. B. Von Hagel, Jr.	Birmingham Firefighters Association
Martin Bertram Wagnon	Alabama Education Association
D. Hilton Walker, Sr.	Darrell Walker and Associates Alabama Employment Association
James A. Walker, Jr.	Alabama Dental Association
James P. Walker	Uniserv (Alabama Education Association)
Joseph Edward Ward	Alabama Education Association
Don F. Wasson	Alabama Mining Institute
W. D. Waters	Montgomery Fire Fighters' Association
John F. Watkins	Alabama League of Municipalities
Slade Watson	Common Cause
Mary B. Weidler	National Organization for Women
John David Whetstone	Alabama District Attorney Association
Richard C. Whitaker	Medical Association of the State of Alabama
J. Herbert White	Auburn University
Calvin M. Whitesell	Sperry and Hutchison Company Tobacco Tax Council Alabama Association of Optometrists and Opticians, Inc.
Charles H. Williams, Jr.	Mid-Continent Oil and Gas Association
E. Ham Wilson	Alabama Cattlemen's Association
Philip J. Yacko	Alabama State Employees Association

REGULAR SESSION  
36th Day

4511

James O. Yeamon

Alabama Coalition for Better Education  
Automotive Wholesalers' Association of  
Alabama Inc.

Andy Yeomans

State Law Enforcement Association,  
Inc.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-sixth legislative day and finds the same to be correct.

TOM DRAKE,  
Chairman.

On motion of Mr. Crowe, the reading at length of the Journal of the House for the thirty-sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-sixth legislative day was approved.

ADJOURNMENT

The hour of 12:00 o'clock midnight having arrived, the Speaker declared the House adjourned sine die.

Attest:

JOHN W. PEMBERTON  
Clerk of the House of Representatives  
of the Legislature of Alabama,  
Regular Session, 1975.



## HOUSE OF REPRESENTATIVES

## REGULAR SESSION 1975

## ALPHABETICAL ROSTER AND DISTRICT NUMBER

Robert E. Albright, 20	Tom Leonard, 37
Richard Andrews, 34	Rufus A. Lewis, 77
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Joel M. Folmar, 68	Marilyn Quarles, 56
Joe M. Ford, 28	Thomas Reed, 67
Robert C. Gafford, 33	Kerry Rich, 30
Bob Glass, 105	Frank Riddick, 18
J. W. Goodwin, 4	Tommy Ed Roberts, 9
Lynn Greer, 1	Edward Robertson (Big Ed), 89
Richard Gregg, 19	J. Thomas (Tommy) Sandusky, 100
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Frank Jackson, 75	Jerome Tucker, 43
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Roger Killian, 24	Dr. Dewey White, Jr., 31
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James G. Lee, 46	Cecil Wyatt, 78

# **ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA**

## **REGULAR SESSION 1975**

### **OFFICERS**

**JOE C. McCORQUODALE, JR.,** *Speaker*, Jackson

**ROBERT T. (BOBBY TOM) CROWE**  
*Speaker, Pro-Tem*, Jasper

**JOHN W. PEMBERTON,** *Clerk*, Montgomery

### **MEMBERS OF THE HOUSE**

Dist. No.	Counties	Name	Address
1	LAUDERDALE	Lynn Greer	Rt. 3, Box 102, Rogersville 35652
2	LAUDERDALE	Robert M. (Bob) Hill, Jr.	119, Mobile Street, Plaza, Florence 35630
3	LAUDERDALE, COLBERT, FRANKLIN	Tom C. Coburn	1107 E. 3rd St., Tuscumbia 35674
4	COLBERT, FRANKLIN	J. W. (Joe) Goodwin	310 Ford Rd., Muscle Shoals 35660
5	FRANKLIN, MARION	Paul J. Weeks	P. O. Box 674, Winfield 35594
6	LAMAR, MARION, FAYETTE	Allen McNees	Rt. 1, Vernon 35592
7	LAWRENCE, MORGAN	Wayland Cross	Box D, Courtland 35618
8	MORGAN	Charles B. Martin	1716 Camellia Dr., S.W., Decatur 35601
9	MORGAN	Tommy Ed Roberts	408 Rock Street, S. E., Hartselle 35640
10	MORGAN, CULLMAN	Tom Drake	P. O. Box 36, Cullman 35055
11	CULLMAN, WINSTON	John R. Sparks	919 Nunnelly Dr., S.W., Cullman 35055
12	WINSTON, WALKER	Robert T. (Bobby Tom) Crowe	Box 2308, Jasper 35501
13	WALKER	Alvis Naramore	5th Ave. & 19th Street, Jasper 35501



**ROSTER OF THE HOUSE OF REPRESENTATIVES  
OF ALABAMA—Continued**

- 14 **JEFFERSON, BLOUNT**  
Carl Jolly ..... P. O. Box 366, Gardendale 35071
- 15 **JEFFERSON**  
Robert B. (Bob) Hall ..... Rt. 2, Box 593-W, Pinson 35126
- 16 **LIMESTONE**  
Tommy Carter ..... Rt. 2, Elkmont 35620
- 17 **LIMESTONE, MADISON**  
Warren C. Moore ..... Rt. 3, Box 875, Huntsville 35806
- 18 **MADISON**  
Frank H. Riddick ..... 7804 Lauderdale Drive, Huntsville 35802
- 19 **MADISON**  
Richard Gregg ..... 401 Wynn Dr., Huntsville 35805
- 20 **MADISON**  
Robert E. Albright ..... 2024 Stanhope Dr., N.E., Huntsville 35811
- 21 **MADISON**  
Bill Smith ..... 2203 Colice Rd., S.E., Huntsville 35801
- 22 **MADISON, JACKSON**  
Hartwell Lutz ..... Suite 52, Central Bank Bldg., Huntsville 35801
- 23 **JACKSON**  
Bethel D. Starkey ..... P. O. Box 3, Pisgah 35765
- 24 **JACKSON, DeKALB**  
Roger Killian ..... P. O. Box 4, Fort Payne 35967
- 25 **DeKALB, MARSHALL**  
Hinton Mitchem ..... P. O. Box 297, Albertville 35950
- 26 **MARSHALL**  
Phillip B. (Phil) Kelley ..... Rt. 2, Box 486, Guntersville 35976
- 27 **BLOUNT, ETOWAH, MARSHALL**  
Joe Brindley ..... Route 8, Box 161, Boaz 35957
- 28 **ETOWAH**  
Joe M. Ford ..... 117 Arcade St., Gadsden 35903
- 29 **ETOWAH**  
Hubert L. Taylor ..... 2714 Hazel Dr., Gadsden 35901
- 30 **ETOWAH, CHEROKEE**  
Kerry Rich ..... Rt. 12, Gadsden 35901
- 31 **JEFFERSON**  
Dr. Dewey White, Jr. .... P. O. Box 7685A, Birmingham 35223
- 32 **JEFFERSON**  
Francis Falkenburg ..... 3001 Argyle Rd., Birmingham 35213

**ROSTER OF THE HOUSE OF REPRESENTATIVES  
OF ALABAMA—Continued**

- 33 **JEFFERSON**  
Robert C. (Bob) Gafford — 5345 Division Ave., Birmingham 35212
- 34 **JEFFERSON**  
Richard Andrews \_\_\_\_\_ P. O. Box 6061, Birmingham 35209
- 35 **JEFFERSON**  
Jack Biddle, III \_\_\_\_\_ 2256 Pinehurst Dr., Gardendale 35071
- 36 **JEFFERSON**  
Hoyt W. Trammell \_\_\_\_\_ Rt. 15, Box 247, Birmingham 35224
- 37 **JEFFERSON**  
Tom Leonard \_\_\_\_\_ 1725 Windsor Blvd., Homewood 35209
- 38 **JEFFERSON**  
Ronald Edward Jackson \_\_\_\_\_ 1605 8th Ave., N., Frazier Bldg.,  
Birmingham 35203
- 39 **JEFFERSON**  
Rev. John T. Porter \_\_\_\_\_ 1101 Montevallo Rd., S.W., Birmingham 35211
- 40 **JEFFERSON**  
Jack Hopping, Sr. \_\_\_\_\_ 2804 Ave. G., Birmingham 35218
- 41 **JEFFERSON**  
Chris McNair \_\_\_\_\_ P. O. Box 1851, Birmingham 35201
- 42 **JEFFERSON**  
Hugh Boles \_\_\_\_\_ 1036 Normandale Circle, Hueytown 35020
- 43 **JEFFERSON**  
Jerome Tucker \_\_\_\_\_ Suite 1722, 2121 Bldg., 8th Ave., N.,  
Birmingham 35203
- 44 **JEFFERSON**  
A. L. (Tony) Harrison \_\_\_\_\_ 1214-4th Place No., Birmingham 35204
- 45 **JEFFERSON**  
Earl F. Hilliard \_\_\_\_\_ 1605 Eighth Ave., North, Birmingham 35203
- 46 **TUSCALOOSA**  
Jimmy Lee \_\_\_\_\_ No. 2 Wood Manor, Tuscaloosa 35401
- 47 **Tuscaloosa**  
Roy W. Johnson, Jr. \_\_\_\_\_ 4501 20th St., N.E., Tuscaloosa 35401
- 48 **TUSCALOOSA, BIBB**  
Walter Owens \_\_\_\_\_ 107 Court Sq., West, Centreville 35042
- 49 **TUSCALOOSA, JEFFERSON**  
Asbury Howard \_\_\_\_\_ 1930 Exeter Ave., Bessemer 35020
- 50 **JEFFERSON**  
Ralph (Buddy) Armstrong \_\_\_\_\_ 1821 3rd Ave., North, Bessemer 35020

**ROSTER OF THE HOUSE OF REPRESENTATIVES  
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- 51 **JEFFERSON, SHELBY**  
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- 52 **JEFFERSON, SHELBY, TALLADEGA**  
Sonny Moore..... P. O. Box 44, Sterrett 35147
- 53 **CHILTON, SHELBY**  
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- 54 **COOSA, TALLADEGA**  
Murray P. McCluskey..... Box 599, Sylacauga 35150
- 55 **TALLADEGA**  
John A. Teague..... 708 Forest Hill Dr., Childersburg 35044
- 56 **ST. CLAIR, CALHOUN**  
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- 57 **CALHOUN**  
Thomas R. (Tom) Shelton..... P. O. Box 434, Jacksonville 36265
- 58 **CALHOUN**  
Donald G. Holmes..... Rt. 1, Box 90, Eastaboga 36260
- 59 **CALHOUN**  
Hugh D. Merrill..... P. O. Box 1498, Anniston 36201
- 60 **CLAY, CLEBURNE, TALLADEGA**  
Gerald O. Dial..... Box 275, Lineville 36266
- 61 **RANDOLPH, CHAMBERS**  
Monroe Smith..... Rt. 1, Box 984, Lanett 36863
- 62 **TALLAPOOSA, CHAMBERS**  
Larry Morris..... Madison St., Alexander City 35010
- 63 **TALLAPOOSA, CHAMBERS, LEE**  
Pete Turnham..... P. O. Box 1592, Auburn 36830
- 64 **CHAMBERS, LEE**  
G. J. (Dutch) Higginbotham..... P. O. Box 585, Opelika 36801
- 65 **LEE, RUSSELL, BARBOUR**  
Charles W. Whatley..... Rt. 5, Box 250, Opelika 36801
- 66 **RUSSELL**  
James A. Baker..... 4300 Summerville Road, Phenix City 36867
- 67 **MACON, BULLOCK**  
Thomas Reed..... Drawer EE, Tuskegee Institute 36088
- 68 **PIKE, COFFEE, BULLOCK, BARBOUR**  
Joel M. Folmar..... P. O. Box 325, Troy 36081

**ROSTER OF THE HOUSE OF REPRESENTATIVES  
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- 69 **DALE, BARBOUR, HENRY**  
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- 70 **HOUSTON, HENRY, BARBOUR**  
Buddy Crawford.....P. O. Box 129, Abbeville 36310
- 71 **HOUSTON**  
Joe R. Carothers, Jr.....Rt. 8, Box 33, Dothan 36301
- 72 **DALE**  
R. Nolan Williams.....Rt. 2, Newton 36352
- 73 **GENEVA, COVINGTON, HOUSTON**  
Jack W. Smith.....P. O. Box 728, Dothan 36301
- 74 **COVINGTON, COFFEE**  
Jimmy W. Holley.....Rt. 3, Box 191E, Elba 36323
- 75 **COVINGTON**  
Frank Jackson.....P. O. Box 209, Opp 36467
- 76 **ELMORE**  
Jack B. Venable.....P. O. Box 736, Tallassee 36078
- 77 **MONTGOMERY**  
Rufus A. Lewis.....801 Bolivar St., Montgomery 36104
- 78 **MONTGOMERY, CRENSHAW**  
Cecil L. Wyatt.....P. O. Box 1, Ramer 36069
- 79 **MONTGOMERY**  
Bishop N. Barron.....P. O. Box 221, Montgomery 36101
- 80 **MONTGOMERY**  
Alvin A. Holmes.....P. O. Box 6064, Montgomery 36106
- 81 **MONTGOMERY**  
James D. Harris, Jr.....1406 Union Bank Bldg., Montgomery 36104
- 82 **MONTGOMERY, AUTAUGA, LOWNDES, ELMORE**  
James J. Plaster.....Rt. 1, Box 193, Autaugaville 36003
- 83 **WILCOX, LOWNDES, DALLAS**  
William D. Edwards.....Rt. 1, Box 180A, Ft. Deposit 36032
- 84 **BUTLER, CRENSHAW**  
Eric O. Cates, Jr.....Rt. 2, Box 222, Greenville 36037
- 85 **DALLAS, AUTAUGA**  
John A. Lockett, Jr.....P. O. Box 1354, Selma 36701
- 86 **DALLAS, PERRY, MARENGO**  
R. Leigh Pegues.....202 Early St., Marion 36756
- 87 **MARENGO, SUMTER, HALE, GREENE**  
Richard S. (Rick) Manley.....P. O. Drawer U, Demopolis 36732

**ROSTER OF THE HOUSE OF REPRESENTATIVES  
OF ALABAMA—Continued**

- 88 **GREENE, PICKENS, TUSCALOOSA, HALE**  
George N. Clark.....Box 6, Eutaw 35462
- 89 **TUSCALOOSA, PICKENS**  
Edward (Big Ed) Robertson.....P. O. Box 331, Northport 35476
- 90 **SUMTER, CHOCTAW**  
Frank Campbell.....P. O. Box 992, Livingston 35470
- 91 **ESCAMBIA**  
L. Brooks Hines.....P. O. Box 345, Brewton 36426
- 92 **CLARKE, MONROE**  
Joe C. McCorquodale, Jr.....P. O. Box 535, Jackson 36545
- 93 **MONROE, CONECUH, ESCAMBIA**  
James E. (Jimmy) Warren.....P. O. Box 207, Castleberry 36432
- 94 **BALDWIN**  
Daniel L. Kinsey.....P. O. Box 246, Foley 36535
- 95 **BALDWIN, MOBILE**  
John M. McMillan, Jr.....P. O. Box 253, Stockton 36579
- 96 **WASHINGTON, MOBILE**  
J. Henry McCulley.....P. O. Box 45, Wagerly 36585
- 97 **MOBILE**  
Robert (Ken) Malone.....130 S. Hwy 43, Apt. 3, Saraland 36571
- 98 **MOBILE**  
Cain J. Kennedy.....111 Lovejoy Loop, Suite 202, Prichard 36610
- 99 **MOBILE**
- 100 **MOBILE**  
J. Thomas (Tommy) Sandusky.....P. O. Box 9118, Mobile 36609
- 101 **MOBILE**  
H. L. (Sonny) Callahan.....P. O. Box 1208, Mobile 36601
- 102 **MOBILE**  
Nat Sonnier.....2551 Old Shell Rd., Mobile 36607
- 103 **MOBILE**  
Gary Cooper.....P. O. Box 25, Mobile 36601
- 104 **MOBILE**  
Douglas I. Johnstone.....3100 Cottage Hill Road, Suite 311,  
Mobile 36606
- 105 **MOBILE**  
Bob Glass.....P. O. Box 625, Theodore 36582

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HB 507, pages 251, 426, 915, 916, 4111, 4472, 4500
- 1962 Acts, Act 603, Section 2, Regular Session, relating to credit unions in Alabama—  
HB 513, pages 252, 576, 2196, 2256, 2538, 2686, 3069, 3238, 3246
- 1963 Acts, Act 284, Regular Session, relating to contractors bidding on highway work—  
HB 787, pages 458, 584
- 1963 Acts, Act 424, Regular Session, Section 3, 6, and 7, relating to distribution of seeds—  
HB 419, pages 200, 341, 1366

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- 1963 Acts, Act 424, Regular Session, Sections 3, 6, and 7 regulating the labeling and sale of seeds—  
SB 192, pages 1687, 1688, 1925, 3663, 3664, 3723
- 1963 Acts, Act 526, Regular Session, Section 1, providing for the appointment of counsel—  
HB 1024, pages 813, 1920, 2686, 3383
- 1963 Acts, Act 571, Regular Session, Section 1, relating to poultry and poultry products—  
HB 1068, pages 877, 2116, 3070, 3382
- 1963 Acts, Act 576, Regular Session, Section 1, relating to disabled veterans license tags—  
HB 1077, pages 879, 1473, 2196, 2256, 2538, 2686, 3069, 3383
- 1963 Acts, Act 582, Regular Session, relating to ionizing radiation control—  
HB 359, pages 188, 1192
- 1964 Acts, Act 183, Special Session, relating to registration of electors and voters—  
HB 1645, page 1940
- 1964 Acts, Act 253, Special Session, relating to registration of electors and voters—  
HB 1645, page 1940
- 1965 Acts, Act 107, Special Session, Sections 5 and 6, relating to county water authorities—  
HB 1267, pages 1135, 1748, 2196, 2256, 2538, 2686, 3069, 3237
- 1965 Acts, Act 224, Regular Session, relating to buildings and their use by the physically handicapped—  
SB 354, pages 1494, 1495, 2457, 4347, 4398, 4474
- 1965 Acts, Act 224, Regular Session, Sections 1 and 10, authorizing public buildings to be made functional for the physically handicapped—  
HB 1337, page 1213
- 1965 Acts, Act 546, Regular Session, Section 1, relating to hunting licenses for 65 and over—  
HB 397, page 195
- 1965 Acts, Act 549, Regular Session, Section 2-316, relating to warranties of merchantability or fitness—  
HB 225, pages 106, 216, 493, 773
- 1965 Acts, Act 549, Regular Session, Sections 2-607, relating to non-conformity of goods—  
HB 1093, pages 888, 1188
- 1965 Acts, Act 549, Regular Session, Section 8-102, which is the uniform commercial code—  
HB 1308, pages 1200, 1751
- 1965 Acts, Act 563, Regular Session, relating to child abuse—  
HB 788, pages 458, 656, 3068, 3144, 4141, 4159, 4498
- 1965 Acts, Act 654, Regular Session, Section 3, privilege and license tax levied on cigarettes—  
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- 1965 Acts, Act 654, Regular Session, Section 3, relating to the State Industrial Development Authority—  
HB 1184, pages 1021, 1191, 2048, 2104, 4392, 4484, 4499
- 1965 Acts, Act 685, Regular Session, relating to the Alabama Water Management Act—  
HB 1396, pages 1257, 1465
- 1965 Acts, Act 751, Regular Session, relating to non-resident hunting licenses—  
HB 666, page 382  
HB 706, pages 394, 578, 2538, 2685, 3069, 3229
- 1965 Acts, Act 795, Regular Session, relating to registration of electors and voters—  
HB 1645, page 1940
- 1965 Acts, Act 833, Regular Session, Section 9, relating to state employees insurance payments—  
HB 68, page 23
- 1965 Acts, Act 867, Regular Session, relating to nurses education—  
HB 1930, page 2883
- 1965 Acts, Act 867, Regular Session, Sections 2, 3, 4, 5, 6, 7 and 8, relating to regulating schools of nursing—  
HB 234, pages 110, 217, 707, 776, 2754, 2768, 2851
- 1965 Acts, Act 881, Regular Session, establishing a State Department of Mental Health—  
HB 1203, page 1029
- 1966 Acts, Act 168, Special Session, relating to the Alabama Historical Commission—  
HB 1562, pages 1761, 2869, 3390, 4392, 4484, 4499
- 1966 Acts, Act 208, Special Session, Section 1, relating to compensation of dependents of certain peace officers killed in the line of duty—  
HB 416, pages 199, 587, 3068, 3161
- 1966 Acts, Act 208, Special Session, Section 1, relating to compensation to families of peace officers and firemen killed in line of duty—  
SB 189, pages 1686, 1688
- 1966 Acts, Act 208, Special Session, Section 1, relating to survivor benefits for dependents of law enforcement officers and firemen—  
SB 124, pages 1005, 1008, 1748, 4457, 4467, 4492
- 1966 Acts, Act 208, Special Session, Section 2, relating to compensation paid dependents of law enforcement officers and firemen—  
HB 841, page 531
- 1966 Acts, Act 253, Special Session, relating to exempting from civil liability certain persons who render emergency care—  
HB 454, pages 233, 1082
- 1966 Acts, Act 253, Special Session, relating to rendering aid at the scene of an accident—  
SB 106, pages 2842, 2875, 4445, 4463, 4468, 4493

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- 1967 Acts, Act 3, Regular Session, Section 1 and 6, relating to the authorization of state treasurer in depositing of state money—  
HB 317, page 169
- 1967 Acts, Act 81, Special Session, Section 1, relating to the 19th Judicial Circuit—  
SB 523, pages 3009, 3017
- 1967 Acts, Act 178, Special Session, Section 2, relating to the assessment of counsel fees—  
HB 1023, pages 813, 1919, 2686, 3383
- 1967 Acts, Act 217, Special Session, Section 1 and 6, relating to contracts by competitive bidding—  
HB 12, page 9
- 1967 Acts, Act 217, Special Session, Sections 1, 6, and 9, relating to competitive bidding and the expenditure of public funds—  
HB 88, pages 30, 584, 1774, 4141, 4159, 4498
- 1967 Acts, Act 217, Special Session, Section 2, relating to competitive bidding—  
HB 1251, pages 1096, 1923
- 1967 Acts, Act 217, Special Session, Section 2, relating to utility services—  
HB 1100, pages 938, 1747
- 1967 Acts, Act 269, Regular Session, Section 1, relating to the Director of the Bureau of Publicity and Information—  
HB 535, pages 297, 1402
- 1967 Acts, Act 275, Regular Session, Section 3, relating to a privilege or license tax on cigarettes—  
HB 796, page 508
- 1967 Acts, Act 309, Regular Session, Section 3, levying an additional privilege and license tax on cigarettes—  
HB 800, page 509
- 1967 Acts, Act 399, Regular Session, Sections 1 and 2, relating to exemptions from ad valorem taxes—  
SB 659, pages 1885, 1886, 3868, 4449, 4494
- 1967 Acts, Act 453, Regular Session, providing a pension and relief fund for cities 300,000 or more population—  
HB 1317, pages 1203, 1754, 1893, 2739, 2761, 2850
- 1967 Acts, Act 551, Section 3, Regular Session, relating to the Alabama Council on the Arts—  
HB 914, pages 662, 1190
- 1967 Acts, Act 741, Regular Session, Sections 1, 8, 10, 11, 15 and 17, relating to podiatry—  
HB 1075, pages 878, 1924, 3071, 3384, 3833, 3834, 4329, 4393, 4429, 4452, 4490, 4499, 4500
- 1967 Acts, Act 755, Regular Session, Sections 1, 3, 4 and 5, providing supernumerary tax assessors, collectors, and license commissioners—  
HB 1160, pages 1011, 1309, 2537, 2685, 3069, 3191, 3201, 3203

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- 1969 Acts, Act 14, Special Session, relating to the commission on higher education—  
SB 139, page 2307
- 1969 Acts, Act 21, Special Session relating to a gross receipts tax on utilities—  
SB 301, pages 2843, 3867, 4337, 4338, 4473
- 1969 Acts, Act 21, Special Session, Sections 1 and 5, relating to utilities and the taxing of such—  
HB 89, pages 30, 1479, 2196, 2255, 2537, 2624
- 1969 Acts, Act 21, Extraordinary Session, Section 5, relating to tax on utilities—  
HB 1472, pages 1425, 1475, 1795, 4409, 4472, 4500
- 1969 Acts, Act 37, Special Session, relating to a service use tax on utilities—  
SB 300, pages 2843, 3867, 4337, 4476
- 1969 Acts, Act 281, Regular Session, Section 1, relating to the safe transportation of students—  
HB 1647, pages 1942, 2119, 2538, 2685, 3069, 3213
- 1969 Acts, Act 343, Regular Session, Section 2, relating to the 31st Judicial Circuit—  
SB 900, pages 3018, 3030
- 1969 Acts, Act 399, Regular Session, relating to filing fees for surface mining permits—  
HB 1323, pages 1204, 1461, 2536, 2547
- 1969 Acts, Act 413, Regular Session, Section 1, relating to relief of former governors' spouses—  
HB 1354, pages 1216, 1744
- 1969 Acts, Act 470, Regular Session, Section 1 and 3, relating to payment of expenses for state employees official travel—  
HB 591, pages 308, 2113, 2686, 3070, 3383, 3840
- 1969 Acts, Act 470, Regular Session, Sections 1 and 3, regulating the payment of expenses of state employed persons traveling on business—  
HB 1179, page 1019
- 1969 Acts, Act 471, Regular Session, Section 1, relating to state owned motor vehicles—  
HB 1022, pages 813, 1077, 1353
- 1969 Acts, Act 568, Section 3, relating to livestock dealers—  
HB 550, pages 301, 1194, 2686, 3068, 3163
- 1969 Acts, Act 604, Regular Session, relating to registration of electors and voters—  
HB 1645, page 1940
- 1969 Acts, Act 606, Regular Session, relating to supernumerary probate judges—  
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- 1969 Acts, Act 740, Regular Session, Section 6, relating to the Alabama Securities Commission—  
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- 1969 Acts, Act 753, creating the Alabama Constitutional Commission—  
SB 683, pages 2142, 2143, 3867, 4341, 4476
- 1969 Acts, Act 753, Regular Session, Sections 3, 8 and 10, relating to the Alabama Constitutional Commission—  
HB 1188, pages 1021, 1478, 3071, 3384
- 1969 Acts, Act 764, Regular Session, Section 8, creating a State Forestry Commission—  
HB 959, pages 724, 1075
- 1969 Acts, Act 999, Regular Session, Section 1 and 8, providing for the Alabama Peace Officers Annuity and Benefits Fund—  
HB 903, pages 610, 1077, 1294, 2135, 2202, 2253
- 1969 Acts, Act 1049, Regular Session, Sections 15, 16, and 26, relating to the inspection of slaughtered animals—  
HB 1388, pages 1252, 1465, 3069, 3167
- 1969 Acts, Act 1049, Regular Session, Sections 15, 16 and 26, relating to the inspection of slaughtered cattle—  
SB 933, pages 2140, 2462, 3167, 3249
- 1969 Acts, Act 1116, Regular Session, relating to crimes and offenses—  
SB 668, pages 2842, 3457, 4435, 4469
- 1969 Acts, Act 1134, Regular Session, Section 1, relating to the Teacher's Retirement System—  
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- 1969 Acts, Act 1134, Regular Session, Sections 1 and 4, relating to school lunchroom managers—  
HB 3, page 7
- 1970 Acts, Act 29, Extraordinary Session, Sections 1 and 4, relating to the incorporation of districts as public corporations—  
HB 1935, page 2885
- 1971 Acts, Act ———, Section 21, relating to professional corporations—  
SB 775, pages 2309, 2864, 3860, 4457, 4495
- 1971 Acts, child care act, Section 2, exempting churches and religious societies—  
HB 1008, pages 802, 1078, 1901
- 1971 Acts, Act 42, Regular Session, Section 8, relating to the Alabama Pollution Control Finance Authority—  
HB 1790, pages 2195, 2872, 3377, 3854, 3904, 4115
- 1971 Acts, Act 64, 1st Special Session, Section 5, relating to bonds issued by the Alabama State Docks Department—  
HB 1606, pages 1865, 2114, 2537, 2559
- 1971 Acts, Act 87, 3rd Special Session, relating to the regulation of schools and/or courses—  
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- 1971 Acts, Act 90, Special Session, relating to federal aid highway projects, appropriation for—  
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- 1971 Acts, Act 96, Special Session 1971, relating to a license tax for certain tangible personal property—  
HB 742, pages 441, 1650, 3071, 3384
- 1971 Acts, Act 96, 1st Special Session, Section 3, relating to furniture in a leased furnished apartment—  
HB 1723, pages 2043, 2117
- 1971 Acts, Act 106, Regular Session, Section 1, relating to exceptional children—  
HB 1206, pages 1030, 2864
- 1971 Acts, Act 160, 3rd Special Session, Section 5, relating to maintenance of property values and ownership maps—  
HB 1595, page 1861
- 1971 Acts, Act 160, Section 6, 3rd Special Session, relating to the standards for appraisers—  
HB 777, pages 452, 585
- 1971 Acts, Act 174, 3rd Special Session relating to child care facilities—  
HB 1199, pages 1028, 1462, 3071, 3384
- 1971 Acts, Act 276, 3rd Special Session, Sections III, IV, VI, VII, XII, and XIII, controlling outdoor advertising—  
HB 1815, pages 2290, 2458, 3382, 3443
- 1971 Acts, Act 402(3), Regular Session, relating to the Uniform Controlled Substances Act—  
HB 544, pages 299, 2874
- 1971 Acts, Act 407, Regular Session, Section 120 and 158, regulating the licensing of insurance agents—  
HB 251, pages 140, 292, 344, 984, 988, 1108, 1168
- 1971 Acts, Act 407, Section 54, raising the capital requirements of insurance companies—  
HB 193, pages 100, 291, 915
- 1971 Acts, Act 407, Section 54, raising the capital requirements of insurance companies—  
SB 171, pages 2844, 2845, 3458, 3859, 4062, 4135
- 1971 Acts, Act 407, Section 149, relating to violators of insurance code—  
HB 69, pages 23, 292, 983, 1117, 1165
- 1971 Acts, Act 407, Section 149, relating to violators of the insurance code—  
SB 165, pages 1226, 1464, 2048, 2105, 2158
- 1971 Acts, Act 407, Regular Session, Section 170, relating to insurance—  
HB 296, pages 161, 290, 911
- 1971 Acts, Act 407, Section 525(6) relating to insurance companies—  
HB 196, pages 100, 292, 919  
SB 167, pages 1226, 1464, 2048, 2106, 2158
- 1971 Acts, Act 407, Sections 201(2) (a) (c) (e), relating to standards of surplus lines insurers—  
SB 168, pages 1225, 1464, 2048, 2106, 2158

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- 1971 Acts, Act 407, Sections 201(2) (a) (c) (e), setting standards of eligible surplus lines insurers—  
HB 194, pages 100, 291, 917
- 1971 Acts, Act 407, Sections 373 and 744, relating to insurance and the insurance business—  
HB 678, pages 384, 799, 3070, 3384
- 1971 Acts, Act 987, Regular Session, Sections 1 and 3 renaming the Department of Conservation—  
HB 1000, pages 751, 1649
- 1971 Acts, Act 1154, Regular Session, relating to abandoned motor vehicles—  
SB 136, pages 2840, 2841
- 1971 Acts, Act 1154, Regular Session, Section 1 and 2, relating to abandoned motor vehicles—  
HB 449, pages 231, 925
- 1971 Acts, Act 1265, Regular Session, relating to possession of alcoholic beverages—  
HB 1846, pages 2473, 2869, 3382
- 1971 Acts, Act 1407, Regular Session, providing a Uniform Alabama Controlled Substance Act—  
HB 539, pages 298, 2873
- 1971 Acts, Act 1407, Regular Session, relating to controlled substances—  
HB 1098, pages 937, 2460, 3382, 3565
- 1971 Acts, Act 1407, Regular Session, Section 213, relating to the Alabama Uniform Controlled Substance Act—  
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- 1971 Acts, Act 1407, Regular Session, Section 403, relating to Uniform Alabama Controlled Substance Act—  
HB 542, pages 299, 2874
- 1971 Acts, Act 1407, Regular Session, Section 504, relating to the Uniform Controlled Substances Act—  
HB 543, pages 299, 2874
- 1971 Acts, Act 1515, Regular Session, relating to state hunting licenses—  
SB 102, pages 1005, 1008, 1301, 4350, 4477
- 1971 Acts, Act 1515, Regular Session, Section 1, relating to hunting licenses—  
HB 385, pages 193, 1194, 3219  
HB 1477, pages 1426, 1466, 2538, 2685, 3069, 3230
- 1971 Acts, Act 1515, Regular Session, relating to the issuance of state and county hunting licenses—  
HB 562, pages 303, 379, 1729
- 1971 Acts, Act 1620, Regular Session, relating to the Eleventh Judicial Circuit—  
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- 1971 Acts, Act 1873, Regular Session, Section 1, providing eligibility of supernumerary district attorneys—  
HB 900, pages 609, 1922, 2196, 2256, 2538, 2686, 3069, 3383  
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- 1971 Acts, Act 1937, Regular Session, relating to the creation of a special fund for Women's Commission annual appropriations—  
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- 1971 Acts, Act 1938, Regular Session, Section 6, establishing a uniform standards code for mobile homes—  
SB 220, pages 1684, 1685, 2457, 3860, 4114, 4190
- 1971 Acts, Act 1938, Regular Session, Section 9, relating to mobile home inspection—  
HB 1732, pages 2158, 2461  
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- 1971 Acts, Act 1938, Section 9, relating to disbursement of funds of state fire marshall for inspection of mobile homes—  
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- 1971 Acts, Act 1948, Regular Session, Section 3, relating to medical services assistants—  
HB 1489, pages 1502, 2864, 3810, 4263, 4394, 4499
- 1971 Acts, Act 1949, Regular Session, Sections 3 and 10, relating to pesticide ingredients—  
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- 1971 Acts, Act 1980, Regular Session, relating to fishing licenses and the borrowing, lending, or altering of—  
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- 1971 Acts, Act 2053, Section 3, Regular Session, relating to loans and credit sales—  
HB 936, pages 674, 1462, 2049, 2196, 2255, 2537, 2684, 3068, 3097
- 1971 Acts, Act 2059, Sections 2 and 3, relating to factory-built housing—  
HB 933, page 672
- 1971 Acts, Act 2293, Regular Session, Section 3, relating to the Bureau of Credit Unions—  
HB 1415, pages 1313, 1464
- 1971 Acts, Act 2305, Regular Session, Section 9, relating to tax on the to taxing the severance of coal from the state—  
HB 1607, pages 1866, 2115, 2537, 2563, 2570
- 1971 Acts, Act 2305, Regular Session, Section 9, relating to tax on the severance of coal—  
HB 1499, page 1504
- 1971 Acts, Act 2305, Regular Session, Section 9A, prohibiting counties from levying coal severance taxes—  
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- 1971 Acts, Act 2307, Sections 1 and 3, Regular Session, relating to certain employees covered in teachers' retirement system—  
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- 1971 Acts, Act 2309, Regular Session, relating to hunting deer from public waters or at night—  
HB 472, pages 235, 379, 1733, 1897
- 1971 Acts, Act 2420, Section 1, relating to the new Judicial Article—  
HB 480, pages 237, 2127, 2632  
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- 1971 Acts, Act 2421, Section 2, relating to the new Judicial Article—  
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- 1971 Acts, Act 2426, Regular Session, relating to registration of electors and voters—  
HB 1645, page 1940
- 1971 Acts, Act 2432, Regular Session, Sections 1, 2, 3, 4, and 5, creating the Marine Environmental Sciences Consortium—  
SB 526, pages 1685, 1921, 3860, 3912
- 1971 Acts, Act 2440, Regular Session, Sections 3, 6, 8, 9, and 10, relating to the Department of Conservation, Division of State Parks, Monuments and Historical Sites—  
HB 1101, pages 938, 1648
- 1971 Acts, Act 2440, Regular Session, Sections 3, 6, 8, 9, 10, relating to the Department of Conservation—  
SB 315, pages 1689, 1690, 1752, 4351, 4474
- 1971 Acts, Act 2479, Regular Session, Sections 3, 9, and 12, relating to the Alabama Worthless Check Act—  
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- 1972 Acts, Act 118, relating to the new Judicial Article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258, 4345, 4477
- 1973 Acts, Act 48, Regular Session, Section 6, relating to the employment of all legislative employees—  
HB 753, pages 445, 587, 1106, 2808, 2859, 3246
- 1973 Acts, Act 300, relating to funding for fire ant control—  
HB 1529, pages 1675, 1921, 2196, 2256, 2538, 2684, 2737
- 1973 Acts, Act 356, relating to retired employees benefits—  
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- 1973 Acts, Act 356, relating to retired employees insurance benefits—  
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- 1973 Acts, Act 538, Regular Session, relating to the Thirtieth Judicial Circuit—  
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- 1973 Acts, Act 618, Regular Session, concerning powers and duties of the mayor—  
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- 1973 Acts, Act 618, Regular Session, concerning power of council—  
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- 1973 Acts, Act 657, Regular Session, relating to the 6th Judicial Circuit—  
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- 1973 Acts, Act 752, Regular Session, Sections 1 and 2, relating to sick leave for state employees—  
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- 1973 Acts, Act 752, Regular Session, Section 2, relating to state merit system employees—  
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- 1973 Acts, Act 763, Regular Session, relating to subsistence allowances for law enforcement officers—  
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- 1973 Acts, Act 765, Regular Session, relating to motor vehicles—  
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- 1973 Acts, Act 811, Regular Session, relating to auctioneers licenses—  
HB 1393, pages 1256, 1465, 1828
- 1973 Acts, Act 811, Regular Session, relating to the Auctioneers License Act—  
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- 1973 Acts, Act 997, Regular Session, Sections 2, 7, and 18, relating to the practice of public accounting—  
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- 1973 Acts, Act 1000, Regular Session, Section 1, relating to ad valorem tax exemptions on disabled persons homesteads—  
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- 1973 Acts, Act 1000, Regular Session, Section 1, relating to ad valorem taxes on homes of totally disabled—  
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- 1973 Acts, Act 1038, Regular Session, Section 12, relating to Uniform Military Code—  
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- 1973 Acts, Act 1038, Regular Session, Section 12, creating a Uniform Military Code and a Uniform Code of Military Justice—  
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- 1973 Acts, Act 1056, Regular Session, relating to the state ethics law—  
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- 1973 Acts, Act 1056, Regular Session, Sections 18 and 19, relating to registration of lobbyists—  
HB 1070, pages 877, 2459, 3784
- 1973 Acts, Act 1163, Regular Session, Sections 5, 7, 9, and 10, pursuant to Constitutional Amendment CCCXVII—  
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- 1973 Acts, Act 1163, Regular Session, Section 10, relating to service credit of judges—  
HB 754, page 445
- 1973 Acts, Act 1209, Regular Session, Section 1, relating to expense allowances for the State Board of Education—  
HB 868, pages 592, 1195
- 1973 Acts, Act 1218, Regular Session, Section 2, relating to renovation of certain state buildings—  
HB 1623, pages 1874, 2631, 3109, 4153, 4184, 4498
- 1973 Acts, Act 1274, Regular Session, Sections 4, 5, 7, and 9, relating to restructuring the Coastal Area Board—  
HB 1138, page 963
- 1973 Acts, Act 1274, Regular Session, Section 5, relating to Alabama Coastal Area Board—  
HB 496, pages 243, 1752
- 1973 Acts, Act 1277, Regular Session, Section 8, authorizing the Alabama Public School and College Authority to sell bonds—  
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- 1973 Acts, Act 1281, Regular Session, Section 1, relating to payment of expenses of county officials—  
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- 1973 Acts, Act 1289, Regular Session, Section 1, increasing the cost of a drivers permit—  
HB 674, pages 383, 583
- 1975 Acts, Act 183, 3rd Special Session, Sections 6, 15, 16, 17 and 18, relating to directors of hospital authorities—  
SB 1097, pages 2838, 2839, 3190, 3866, 4171, 4333, 4352
- 1975 Acts, Act 183, 3rd Special Session, Sections 6, 15, 16, 17 and 18, relating to hospital authorities—  
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- 1923 Acts, Act 502, relating to cities 100,000 or more population—  
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- 1931 Acts, Act 239, Regular Session, Section 1, relating to Baldwin County—  
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- 1932 Acts, Act 247, Special Session, Section 14, relating to Jefferson County—  
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- 1935 Acts, Act 416, Regular Session, Section 1, relating to Tuscaloosa County—  
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- 1939 Acts, Act 89, Regular Session, Section 15, Municipal Utilities Board of Decatur, created—  
HB 58, pages 21, 129, 268, 1656, 1660, 1838
- 1939 Acts, Act 129, Regular Session, Sections 3, 16 and 17, relating to Morgan County—  
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- 1939 Acts, Act 470, Regular Session, relating to the Civil Service System in Mobile County—  
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- 1939 Acts, Act 470, Regular Session, relating to Mobile County—  
SB 571, pages 2907, 2914, 3865, 4165, 4383
- 1939 Acts, Act 594, relating to Mobile County—  
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- 1940 Acts, Act 594, Section 1, relating to Mobile County—  
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- 1943 Acts, Act 102, Regular Session, Section 2, relating to the Sheriff of Mobile County—  
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- 1943 Acts, Act 246, Regular Session, relating to the organization of a Savings and Loan Association—  
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- 1943 Acts, Act 283, relating to cities 100,000 or more population—  
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- 1943 Acts, Act 533, Regular Session, Section 2, relating to Birmingham  
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- 1947 Acts, Act 13, Sections 4, 16, 24, and 26, relating to retirement system for Phenix City policemen and firemen—  
HB 965, pages 725, 928, 1041, 2746, 2777, 2851
- 1947 Acts, Act 249, Regular Session, Section 10, relating to Tuscaloosa—  
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- 1947 Acts, Act 273, designating the Civil Service Act of Dothan—  
SB 558, pages 2912, 2914, 3702, 3913
- 1947 Acts, Act 273, relating to the Civil Service Act of Dothan—  
HB 833, pages 528, 581, 695, 2443, 2597, 2627

## ACTS AMENDED, LOCAL ACTS (Continued)

- 1949 Acts, Act 296, Regular Session, Sections 1, 2, 3, 4, 7, 8, and 10, relating to Lauderdale County—  
HB 1047, pages 844, 1080, 1162, 2811, 2858, 3246
- 1949 Acts, Act 357, Regular Session, Section 7, relating to Tuscaloosa County—  
SB 860, pages 3279, 3286
- 1951 Acts, Act 400, Regular Session, Title and Section 1, correcting population span—  
HB 840, pages 531, 1121, 1228
- 1951 Acts, Act 610, Regular Session, Section 1, relating to duties of license inspectors—  
HB 510, pages 252, 422, 1903
- 1951 Acts, Act 668, Regular Session, Section 1, relating to the Tax Collector of Mobile County—  
HB 1196, pages 1026, 1308, 1448
- 1953 Acts, Act 30, Regular Session, relating to Lauderdale County—  
HB 1049, pages 858, 933, 1060, 2836, 2860, 3246  
SB 815, pages 3275, 3286, 3863, 4161
- 1953 Acts, Act 56, Regular Session, relating to privilege or license tax in Tuscaloosa County—  
HB 232, pages 108, 131, 285, 2449, 2565, 2626
- 1953 Acts, Act 103, Regular Session, relating to City of Dothan Pension and Retirement System—  
HB 93, pages 31, 130, 269, 1227, 1239
- 1953 Acts, Act 404, Regular Session, Section 3.06, relating to cities 30,000 to 33,000 population—  
HB 780, pages 452, 498, 621, 2763, 2805, 2852
- 1953 Acts, Act 404, Regular Session, Article X, Section 10.1, relating to cities 30,000 to 33,000 population—  
SB 365, pages 3009, 3017, 3702, 3912, 4074
- 1953 Acts, Act 496, Regular Session, relating to Chambers County—  
HB 1458, pages 1414, 1469, 1714, 3588, 3682  
SB 982, pages 3026, 3030, 3466, 3756, 3927
- 1953 Acts, Act 592, Regular Session, Section 5, providing a Civil Service System for the City of Anniston—  
HB 1237, pages 1091, 1472, 1723, 3586, 3680
- 1955 Acts, Act 452, Regular Session, relating to cities 300,000 or more population—  
HB 1442, page 1337
- 1955 Acts, Act 452, Regular Session, Articles 1.07, 3.01, 3.02, 3.04, 3.07, and 3.09, relating to cities 300,000 or more population—  
SB 634, pages 2992, 3004
- 1955 Acts, Act 452, Regular Session, Sections 3.01, 3.02, 3.09, and Article IV, Sections 4.01, 4.02, 4.03, 4.04, and 4.05, relating to city council—  
HB 952, pages 682, 1404, 1703, 1776, 1786

## ACTS AMENDED, LOCAL ACTS (Continued)

- 1955 Acts, Act 452, Regular Session, Sections 1.07, 1.08, 3.01, 3.02, 3.04, 3.15, 4.01, 5.15, 5.16, relating to the election of an eleven member city council under the mayor-council form of government—  
HB 321, page 170
- 1955 Acts, Act 452, Article III, Sections 3.01, 3.02 and 3.09 and Article IV, Sections 4.01, 4.02, 4.03, 4.04, 4.05, 4.06, 4.07, 4.08, 4.09, Regular Session, relating to cities 300,000 or more population—  
HB 1446, pages 1340, 2867, 3357, 3373, 3377, 3395
- 1955 Acts, Act 470, Regular Session, Section 6, relating to the Retirement System of Birmingham policemen—  
HB 133, pages 63, 582, 699, 2440, 2595, 2626
- 1956 Acts, Act 22, 2nd Special Session, relating to rights and benefits of members and former members of the fire department of the City of Birmingham—  
HB 527, pages 256, 583, 702, 2441, 2595, 2626
- 1956 Acts, Act 68, 1st Special Session, relating to counties 10,660 to 10,900 population—  
HB 1868, pages 2497, 2637, 3085, 3659, 3700, 3857
- 1956 Acts, Act 107, Special Session, Sections 3, 11, 12, 13 and 18, relating to the City of Prichard—  
HB 1822, pages 2292, 3260, 3549, 3555, 3937, 3986, 4116
- 1959 Acts, Act 62, Regular Session, Section 1, Lawrence County Board of Education, members of, provided further for—  
HB 75, pages 27, 220, 327, 2747, 2764, 2850
- 1959 Acts, Act 298, Regular Session, relating to election of county superintendents of education—  
HB 523, pages 255, 577, 1811, 1834, 2049, 2196, 2255, 2537, 2612
- 1959 Acts, Act 421, Regular Session, relating to stenographic secretary of the 5th Judicial Circuit—  
HB 423, pages 201, 343, 1374, 2773, 2807, 2852
- 1961 Acts, Act 263, Special Session, relating to counties 300,000 to 500,000 population—  
HB 1121, pages 944, 1307, 1446, 3615, 3691, 3856
- 1961 Acts, Act 394, Regular Session, Section 1, relating to Lee County, sheriff of—  
HB 290, pages 158, 293, 366, 2585, 2620, 2627
- 1961 Acts, Act 663, Regular Session, Sections 1, 3, 5, 6, 6-a, 7, 8, 11, 15, 16, 18, 21, 23, 29, 31, 37, 39, 47, 48, relating to elections in cities 300,000 or less population—  
HB 878, pages 601, 2120
- 1961 Acts, Act 664, Regular Session, Sections 2, 4, 6, 7, 7-a, 8, 9, 12, 16, 19, 22, 24, 30, 32, 38, 40, 48, 49, relating to elections in cities 300,000 or less population—  
HB 879, pages 601, 2119
- 1961 Acts, Act 853, Regular Session, Section 1, relating to Camp Hill, Tallapoosa County—  
HB 935, pages 672, 723, 906, 2447, 2549, 2626

## ACTS AMENDED, LOCAL ACTS (Continued)

- 1962 Acts, Act 47, Section 1, Special Session, relating to Elmore County—  
HB 946, pages 678, 802, 981, 2439, 2544, 2625
- 1963 Acts, Act 103, Regular Session, relating to compensation of the Walker County Superintendent of Education—  
HB 838, pages 530, 581, 696, 2447, 2549, 2626
- 1963 Acts, Act 505, Regular Session, Sections 4, 7, 12 (b), 13 (a), 13 (e), relating to Cherokee County—  
HB 1455, pages 1410, 1469, 1713, 1782, 2773, 2807, 2852
- 1964 Acts, Act 172, Special Session, relating to judicial circuits of one county with six to nine circuit judges—  
H.B 210, pages, 103, 198, 622, 3588, 3683
- 1964 Acts, Act 192, Special Session, Section 1, relating to counties 300,000 to 500,000 population—  
HB 355, pages 186, 499, 623, 3589, 3683
- 1964 Acts, Act 243, 1st Special Session, Sections 9, 14, and 15, relating to the City of Mobile—  
HB 1761, pages 2175, 2868, 3359
- 1965 Acts, Act 96, Regular Session, Sections 1-12, 15, 16, 21 and 24a and to strike Sections 17-20, relating to Jefferson County—  
SB 1038, pages 3042, 3049, 3704, 3921, 4075
- 1965 Acts, Act 96, Regular Session, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24a, Title, and to repeal Sections 17, 18, 19 and 20, relating to the Civil Court of Jefferson County—  
HB 1518, pages 1668, 2867, 3357, 3848, 3909, 4116, 4335, 4400, 4482, 4500 EX AMDT
- 1965 Acts, Act 113, 1st Special Session, Section 13 and 14(a), relating to a Civil Service System for the City of Jasper—  
HB 1905, pages 2663, 2866, 3354, 4003, 4066, 4117
- 1965 Acts, Act 171, Regular Session, Sections 4 and 5, relating to Pickens County—  
HB 1750, pages 2166, 2260, 2529, 3072, 3105, 3247
- 1965 Acts, Act 235, Regular Session, Section 1, providing for the redeeming of land for taxes—  
HB 1289, pages 1145, 1242, 1349, 3847, 3907, 4115
- 1965 Acts, Act 247, Regular Session, Section 2, 3, and 4, providing a Personnel Appeals Board for Shelby County—  
HB 982, page 737
- 1965 Acts, Act 324, Regular Session, relating to Decatur—  
SB 1185, pages 3316, 3318, 3467, 3929
- 1965 Acts, Act 497, Regular Session, relating to Jefferson County—  
HB 897, pages 604, 932, 1057, 2583, 3159, 3791, 3792, 3888, 3989, 4116  
HB 1777, page 2189
- 1965 Acts, Act 627, Regular Session, relating to the development of the Elk River watershed area—  
HB 273, pages 152, 583, 1789

## ACTS AMENDED, LOCAL ACTS (Continued)

- 1965 Acts, Act 638, Regular Session, Section 1, relating to counties 57,000 to 61,000 population—  
HB 1876, pages 2499, 2637, 3086, 3852, 3903, 4115
- 1965 Acts, Act 816, Regular Session, Section 8 and 9, relating to Shelby County Planning Commission—  
HB 981, page 735
- 1966 Acts, Act 79, Special Session, relating to Jefferson County—  
HB 1810, pages 2284, 2868, 3358, 3526, 3713
- 1966 Acts, Act 217, Special Session, Section 6, relating to the Retirement System of Birmingham—  
HB 270, pages 149, 582, 700, 2440, 2595, 2626
- 1966 Acts, Act 440, Special Session, Section 1, relating to sheriffs department in counties 300,000 to 500,000 population—  
HB 570, pages 304, 500, 629, 3886, 3989, 4116
- 1966 Acts, Act 441, Special Session, Section 1, relating to Shelby County—  
HB 983, pages 738, 928, 1042, 2453, 2568, 2626
- 1967 Acts, Act 74, Special Session, Section 2, relating to Dale County—  
HB 1767, pages 2184, 2261, 2532
- 1967 Acts, Act 81, Section 1, relating to the secretary of the District Attorney for the 19th Judicial Circuit—  
HB 619, pages 350, 580, 1347, 2438, 2543, 2625
- 1967 Acts, Act 544, relating to counties 300,000 to 500,000 population—  
HB 1162, pages 1011, 1308, 1447, 3643, 3697, 3857
- 1967 Acts, Act 611, Regular Session, Section 1, relating to an additional circuit court clerk in certain counties—  
HB 1002, pages 751, 801, 974, 2750, 2767, 2851
- 1967 Acts, Act 751, relating to counties 300,000 to 500,000 population—  
HB 1164, pages 1012, 1308, 1447, 3643, 3697, 3857
- 1969 Acts, Act 102, Regular Session, relating to Coosa County—  
HB 861, pages 590, 655, 756, 2443, 2597, 2627
- 1969 Acts, Act 115, Special Session, Section 1, relating to the county board of education of certain counties—  
HB 1902, pages 2657, 2866, 3353, 3997, 4063, 4117
- 1969 Acts, Act 143, Regular Session, providing a pistol fee in Conecuh County—  
HB 162, pages 77, 130, 271, 2748, 2766, 2851
- 1969 Acts, Act 178, Special Session, Section 1, relating to Tuscaloosa County—  
SB 742, pages 2906, 2914, 3862, 4151, 4384
- 1969 Acts, Act 200, Special Session, Section 3, relating to Walker County—  
HB 931, pages 670, 723, 904
- 1969 Acts, Act 360, Regular Session, relating to Houston County—  
HB 1877, page 2499

## ACTS AMENDED, LOCAL ACTS (Continued)

- 1969 Acts, Act 360 and 509, Regular Session, Sections 3 and 11(c), relating to Houston County—  
SB 1109, pages 3280, 3286, 3703, 3917, 4073
- 1969 Acts, Act 566, Regular Session, Section 3 and 6, relating to all counties 600,000 or less population—  
HB 672, pages 383, 1479, 2537, 2685, 3069, 3199
- 1969 Acts, Act 673, Regular Session, Section 2, relating to Marshall County—  
SB 290, pages 2917, 2925, 3464, 3749, 3925  
SB 946, pages 3020, 3030
- 1969 Acts, Act 791, Regular Session, Section 1, relating to Lauderdale County—  
HB 1053, pages 864, 934, 1062, 2453, 2606, 2627  
SB 814, pages 2951, 2962, 3863, 4161
- 1969 Acts, Act 792, Section 1, relating to Lauderdale County—  
HB 1792, pages 2263, 2463, 2711, 3656, 3696, 3856
- 1969 Acts, Act 836, Regular Session, Section 1, relating to counties 12,700 to 13,100 population—  
HB 1755, pages 2174, 2257, 2518, 3655, 3695, 3856
- 1969 Acts, Act 869, Regular Session, relating to expense allowances for Board of Education in Bibb County—  
HB 805, pages 512, 580, 691, 3586, 3680
- 1969 Acts, Act 908, Regular Session, Sections 5 and 6, relating to counties 34,000 to 34,800 population—  
SB 912, page 3052
- 1969 Acts, Act 992, Regular Session, Section 2, relating to Crenshaw County—  
HB 926, pages 665, 721, 897  
SB 157, pages 2963, 2966, 3254, 3528, 3718
- 1969 Acts, Act 1087, Regular Session, relating to Shelby County—  
HB 1181, pages 1019, 1472, 1722
- 1971 Acts, Act 121, Special Session, Section 1, relating to counties 12,000 to 12,800 population—  
HB 1245, pages 1096, 1122, 1234, 2450, 2604, 2627
- 1971 Acts, Act 192, Regular Session, relating to Calhoun County—  
HB 214, pages 103, 218, 321, 2436, 2542, 2625
- 1971 Acts, Act 274, 2nd Special Session, relating to counties 34,100 to 34,900 population—  
HB 1657, pages 1945, 2007, 2210, 3559, 3576, 3685
- 1971 Acts, Act 376, Regular Session, relating to DeKalb County—  
SB 875, pages 2981, 2992, 3255, 3533, 3719
- 1971 Acts, Act 791, 3rd Special Session, relating to the 24th Judicial Circuit—  
HB 1909, pages 2673, 2878, 3373, 3938, 3986, 4116
- 1971 Acts, Act 821, Regular Session, Section 1, relating to counties 90,000 to 100,000 population—  
SB 465, pages 3030, 3041, 3465, 3750, 3935



## ACTS AMENDED, LOCAL ACTS (Continued)

- 1971 Acts, Act 997, Regular Session, Section 4, relating to Elmore County—  
HB 1779, pages 2191, 2261, 2533, 3655, 3696, 3856
- 1971 Acts, Act 1242, Regular Session, relating to Cullman County—  
HB 1020, pages 811, 929, 1044, 2454, 2569, 2626
- 1971 Acts, Act 1292, Regular Session, relating to the office of Commissioner of Licenses—  
HB 755, pages 445, 502, 632, 2745, 2776, 2851
- 1971 Acts, Act 1606, Regular Session, relating to the City of Montgomery—  
HB 1383, pages 1247, 1405, 1710, 3587
- 1971 Acts, Act 1703, Sections 2 and 6, relating to Sumter County—  
HB 487, pages 240, 293, 369, 2438, 2544, 2625
- 1971 Acts, Act 1737, Regular Session, Section 1, rearranging the Town of Fyffe in DeKalb County—  
SB 260, pages 2918, 2925, 3254, 3529, 3718
- 1971 Acts, Act 1852, Regular Session, Section 1, relating to counties 300,000 to 600,000 population—  
HB 1235, pages 1090, 1307, 1443, 2772, 2805, 2852
- 1971 Acts, Act 1856, Regular Session, Sections 1, 2, and 3, relating to counties 52,500 to 54,000 population—  
HB 1883, pages 2648, 2865, 3349, 3997, 4065, 4117
- 1971 Acts, Act 1945, Regular Session, Section 3, relating to counties 300,000 to 600,000 population—  
SB 1174, pages 3288, 3306, 3865, 4166, 4385
- 1971 Acts, Act 2038, Regular Session, relating to alcoholic beverages in Dale County—  
HB 1838, pages 2470, 2641, 3088
- 1971 Acts, Act 2137, Section 3, relating to counties 170,000 to 300,000 population—  
HB 1200, pages 1028, 1470, 1719, 3643, 3698, 3857
- 1971 Acts, Act 2182, Regular Session, relating to the City of Jacksonville in Calhoun County—  
HB 1703, pages 2034, 2260, 2526, 3658, 3688, 3856
- 1971 Acts, Act 2220, Regular Session, Sections 3, 6 and 12, relating to counties 95,000 to 115,000 population—  
HB 1735, pages 2160, 2260, 2528, 3594, 3689, 3856  
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- 1971 Acts, Act 2228, Regular Session, Section 1, relating to municipalities 2,000 or more population—  
HB 477, pages 236, 579, 3070, 3382
- 1971 Acts, Act 2228, Regular Session, Sections 1 and 2, relating to cities 2,000 or more population—  
HB 47, pages 15, 342, 1369
- 1971 Acts, Act 2312, Regular Session, relating to Choctaw County—  
HB 1471, pages 1424, 1469, 1715, 2764, 2805, 2852
- 1971 Acts, Act 2312, Regular Session, relating to Choctaw County—  
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## ACTS AMENDED, LOCAL ACTS (Continued)

- 1971 Acts, Act 2431, Regular Session, relating to dog racing in counties 300,000 to 600,000 population—  
HB 710, page 398
- 1971 Acts, Act 2431, Regular Session, Section 18, relating to counties 300,000 to 600,000 population—  
SB 478, pages 2966, 3864, 4166, 4202, 4383
- 1971 Acts, Act 2441, relating to municipalities 175,000 to 300,000 population—  
HB 574, pages 305, 500, 630  
SB 481, pages 2966, 3865, 4167, 4383
- 1971 Acts, Act 2452, Regular Session, Section 6, relating to counties 57,000 to 61,000 population—  
HB 1693, pages 2030, 2125, 2328, 3590, 3676
- 1973 Acts, Act 116, Regular Session, Section 2, relating to Coffee County—  
HB 1617, pages 1867, 1932, 2062
- 1973 Acts, Act 120, Regular Session, relating to Madison County—  
HB 1264, pages 1132, 1720, 3644, 3698, 3857
- 1973 Acts, Act 218, Regular Session, Sections 1 and 2, relating to DeKalb County—  
SB 877, pages 2984, 2992, 3255, 3534, 3719
- 1973 Acts, Act 261, Regular Session, Section 11, relating to Morgan County—  
SB 898, pages 2915, 2925, 3256, 3535, 3720
- 1973 Acts, Act 277, relating to Geneva County—  
HB 1937, pages 2885, 3259, 3543, 3996, 4064, 4117
- 1973 Acts, Act 354, Regular Session, Sections 2 and 4, relating to counties 12,700 to 13,100 population—  
HB 347, pages 184, 219, 325, 2589, 2621, 2627
- 1973 Acts, Act 366, Regular Session, Section 3, relating to counties 150,000 to 180,000 population—  
SB 562, pages 2252, 2258, 2520, 2688
- 1973 Acts, Act 451, Regular Session, Section 1, relating to counties 24,900 to 25,150 population—  
HB 972, pages 732, 802, 981, 2437, 2543, 2625
- 1973 Acts, Act 476, Regular Session, Section 2, relating to Chambers County, Chief Clerk of the Probate Judge of—  
HB 257, pages 143, 220, 327, 2744, 2775, 2851
- 1973 Acts, Act 567, Regular Session, Section 1, relating to counties 26,725 to 27,250 population—  
HB 1741, pages 2161, 2463, 2710, 3655, 3695, 3856
- 1973 Acts, Act 586, Regular Session, Section 1, relating to Houston County—  
HB 1560, pages 1760, 1930, 2055, 3585, 3679  
SB 679, pages 2910, 2914, 3702, 3913, 4074
- 1973 Acts, Act 598, Regular Session, creating the office of Assistant District Attorney—  
HB 1253, pages 1098, 1186, 1281, 2450, 2566, 2626

## ACTS AMENDED, LOCAL ACTS (Continued)

- 1973 Acts, Act 608, Regular Session, relating to Madison County—  
HB 910, pages 659, 931, 1050, 2746, 2777, 2851
- 1973 Acts, Act 618, Sections 3.04 and 4.03, relating to cities 70,000 to 135,000 population—  
SB 707, pages 1492, 1493, 2259, 2521, 3556, 3723
- 1973 Acts, Act 631, Regular Session, Section 1, relating to Houston County—  
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- 1973 Acts, Act 639, Regular Session, relating to counties 500,000 or more—  
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- 1973 Acts, Act 665, Regular Session, Section 1, relating to counties 16,245 to 16,300 population—  
HB 894, pages 604, 721, 896, 2443, 2597, 2627
- 1973 Acts, Act 667, Regular Session, Section 1, relating to counties 16,245 to 16,300 population—  
HB 893, pages 604, 721, 895, 2443, 2597, 2627
- 1973 Acts, Act 707, Regular Session, relating to Cullman County—  
HB 1152, pages 968, 1003, 1103, 2453, 2606, 2627
- 1973 Acts, Act 716, Regular Session, relating to the 27th Judicial Circuit—  
HB 1627, pages 1880, 1933, 2066, 2312, 2511, 3647, 3693, 3856
- 1973 Acts, Act 727, Regular Session, Sections 6, 7 and 10, relating to Bibb County—  
HB 803, pages 510, 580, 691, 3609, 3711, 3737, 3845, 3997, 4271, 4395, 4480, 4500
- 1973 Acts, Act 738, Regular Session, Section 1, relating to counties 55,500 to 56,500 population—  
SB 603, pages 2905, 2914, 3255, 3530, 3718
- 1973 Acts, Act 790, Regular Session, Section 5, establishing the office of Warrant Magistrate in Madison County—  
HB 160, pages 74, 930, 1048, 2748, 2765, 2851
- 1973 Acts, Act 1067, Regular Session, Sections 2 and 3, relating to counties 55,500 to 56,500 population—  
HB 1906, pages 2665, 2866, 3355, 3997, 4065, 4117
- 1973 Acts, Act 1178, Regular Session, relating to Madison County—  
SB 769, pages 3001, 3004, 3865, 4169, 4384
- 1973 Acts, Act 1272, Regular Session, Section 10 and 11, relating to cities 250,000 or more population—  
HB 51, pages 18, 581, 696, 2440, 2594, 2626
- 1974 Acts, Act 900, Regular Session, Section 1, relating to counties 34,000 to 34,800 population—  
SB 141, pages 1489, 1492, 1930, 2535, 2687
- 1975 Acts, Act 17, 2nd Special Session, relating to counties 600,000 or more population—  
SB 740, pages 3005, 3009

## ACTS AMENDED, LOCAL ACTS (Continued)

1975 Acts, Act 17, 2nd Special Session, relating to the mentally ill—  
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1975 Acts, Act 25, 2nd Special Session, Section 2, relating to counties  
24,900 to 25,150 population, concerning expense allowance for  
the Judge of Inferior Court and County Solicitor of that county—  
HB 310, pages 167, 219, 324, 2437, 2542, 2625

1975 Acts, Act 91, 3rd Special Session, relating to counties 110,000 to  
160,000 population—  
HB 1651, pages 1943, 2124, 2327  
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1975 Acts, Act 102, Regular Session, Section 2, relating to the Sheriff  
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## ACT NO. 22

HJR 18, 1975 Organizational Session, creating a Joint Interim Com-  
mittee on Agriculture, amended—  
HJR 369, page 3063

## ACT NO, 25, 3rd SPECIAL SESSION, 1975

Repealed—  
SJR 26, page 996

## ACT NO. 1056, 1973 REGULAR SESSION

Applicable—  
HR 148, page 1083

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1943 Acts, act 298, regular session, section 7, relating to labor—  
HB 1806, pages 2284, 2863

1943 Acts, act 542, regular session, relating to motor vehicle inspec-  
tion—  
HB 540, page 298  
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1943 Acts, act 573, relating to the new judicial article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
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1943 Acts, act 575, section 2, relating to the new judicial article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
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1945 Acts, act 58, relating to the new judicial article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
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## ACTS REPEALED, GENERAL ACTS (Continued)

- 1945 Acts, act 159, relating to the small loan business—  
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- 1945 Acts, act 413, relating to the new judicial article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
4345, 4477
- 1945 Acts, act 483, relating to the new judicial article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
4345, 4477
- 1947 Acts, act 177, relating to the new judicial article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
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- 1949 Acts, act 311, relating to the new judicial article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
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- 1949 Acts, act 424, regular session, regulating absentee voting—  
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- 1949 Acts, act 530, regular session, section 13, relating to public  
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HB 1642, pages 1939, 2118, 2538, 2685, 3068, 3069, 3147  
1951 Acts, act 805, regular session, relating to unfair cigarette  
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HB 1503, pages 1505, 1928
- 1953 Acts, act 764, relating to the new judicial article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
4345, 4477
- 1954 Acts, act 535, relating to the new judicial article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
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- 1957, Act 544, section 5, regular session—  
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- 1957 Acts, act 565, regular session, providing for governor's salary—  
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- 1957 Acts, act 741, section 1, relating to the new judicial article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
4345, 4477
- 1957 Acts, act 742, relating to the new judicial article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
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## ACTS REPEALED, GENERAL ACTS (Continued)

- 1959 Acts, act 374, regular session, relating to the small loan business—  
HB 899, pages 609, 722, 909, 1074, 1168, 1174, 2689, 2735, 2850, 3657, 3802 EX AMDT
- 1959 Acts, act 414, regular session, sections 1-86 and 90-101, relating to corporations—  
HB 1550, page 1682
- 1961, Act 55, regular session, relating to littering—  
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- 1961 Acts, act 665, relating to the new judicial article—  
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- 1963 Acts, act 741, sections 1 and 2, relating to the new judicial article—  
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- 1965 Acts, act 278, special session, relating to medical education—  
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- 1965 Acts, act 403, relating to the new judicial article—  
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- 1965 Acts, act 546, regular session, relating to state hunting licenses—  
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- 1965 Acts, act 793, regular session, relating to the study of dentistry—  
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- 1967 Acts, act 310, regular session, relating to public health—  
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- 1969 Acts, act 21, regular session, relating to a privilege or license tax on utilities—  
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- 1969 Acts, act 399, regular session, creating the Alabama surface mining reclamation commission—  
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- 1971 Acts, act 90, regular session, relating to the state highway department, appropriations to—  
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- 1971 Acts, act 676, regular session, relating to payment of meeting expenses of county governing bodies—  
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- 1973 Acts, act 1056, regular session, which is the state ethics law—  
HB 240, pages 111, 216, 417, 494, 551, 1374, 1390, 1391, 1643, 1692,  
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- 1973 Acts, act 1129, relating to the twenty-third judicial circuit—  
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- 1949 Acts, act 102, regular session, relating to municipalities 100,000 or more population—  
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- 1951 Acts, act 138, regular session, relating to Calhoun county—  
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- 1956 Acts, act 29, 2nd special session, relating to Mobile county—  
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- 1965 Acts, act 355, regular session, relating to counties 46,020 to 49,750 population—  
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- 1967 Acts, act 540, regular session, relating to Etowah county—  
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## AIRCRAFTS

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HB 1188, pages 1021, 1478, 3071, 3384

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HB 250, pages 139, 1927

**ALABAMA HIGHWAY FINANCE CORPORATION**

Bonds issued by—  
HB 98, pages 41, 586, 2048, 2103

Bonds issued by, payment of, provided—  
HB 493, page 243

**ALABAMA HISTORICAL COMMISSION**

Appropriation, provided—  
HB 1778, pages 2191, 2876, 3382, 3407, 4392, 4484, 4499

Appropriations, provided—  
HB 1923, page 2882

Capitol, to maintain—  
HB 1316, pages 1203, 1461, 2049, 2196, 2255, 2537, 2684, 3068, 3109

Fort Toulouse site, to restore—  
HB 180, pages 94, 217, 651

LaGrange historical site, transferred to—  
HB 662, pages 381, 1076, 1821

Monument of Fort Louis De La Mobile, placed under—  
HB 954, pages 724, 1077

Responsibilities, revised—  
HB 1562, pages 1761, 2869, 3390, 4392, 4484, 4499

Richmond Pearson Hobson Memorial Home, transferred to—  
HB 239, pages 111, 1461  
SB 295, pages 1690, 1691, 1924, 3860

\$35,000, appropriated—  
HB 939, page 675

**ALABAMA INSTITUTE FOR DEAF AND BLIND**

Board of, teachers, to grant leave to—  
HB 222, pages 106, 127, 335, 4132, 4146, 4498

Board of trustees, authority defined—  
SB 1104, pages 3846, 3869, 4155, 4384

**ALABAMA INSTITUTE FOR DEAF AND BLIND (Continued)**

Musical program, to present—  
HR 334, page 2501

Students, education of, provided for—  
HB 1698, pages 2031, 2461, 3382, 3648

Teachers, sick leave, to accumulate—  
HB 1757, page 2175

**ALABAMA JOINT UNDERWRITING ASSOCIATION**

Established—  
HB 300, pages 164, 1750, 2049, 2195, 2223, 2245, 3182, 3248, 3454

**ALABAMA LEGISLATIVE BUILDING AUTHORITY**

Creation of—  
HB 343 page 181  
HB 392, page 194

**ALABAMA MARINE MAMMAL PROTECTION ACT OF 1975**

Created—  
HB 502, page 244

**ALABAMA MENTAL HEALTH BOARD**

Developmental disabilities, to combat—  
HB 1205, page 1029

Security medical facility, established—  
SB 382, pages 2844, 2845, 2864, 3860, 4432, 4468,

Security medical facility, jurisdiction of—  
HB 333, pages 179, 586, 2196, 2255, 2537, 2557

**ALABAMA MIGRANT AND SEASONAL FARMWORKERS COUNCIL**

Commended—  
HR 282, pages 2089, 2600

**ALABAMA NATIONAL GUARD**

Injury or disability insurance program, established—  
HB 41, page 14

Retirement system, created—  
HB 26, page 11

Tuition charges, exempt from—  
HB 27, page 11

**ALABAMA OCCUPATIONAL SAFETY AND HEALTH ACTS**

Provided—  
HB 1649, page 1943

**ALABAMA PEACE COMMISSION**

Massachusetts legislature, to advise on busing—  
HJR 375, page 3072

**ALABAMA PEACE OFFICERS' ANNUITY AND BENEFIT FUND**

Membership in, further regulated—  
HB 223, page 106

Provided further for—  
HB 903, pages 610, 1077, 1294, 2135, 2202, 2253

**ALABAMA PHOTOGRAPHY WEEK**

Proclaimed—  
HJR 226, page 1646

**ALABAMA POLLUTION CONTROL FINANCE AUTHORITY**

Bonds, amount increased—  
HB 1790, pages 2195, 2572, 3377, 3854, 3904, 4115

**ALABAMA POSTSECONDARY 1202 COMMISSION**

Appropriation to—  
HB 289, pages 158, 1921, 3069, 3231, 3261

**ALABAMA PRODUCTIVITY CENTER**

Designated—  
SJR 132, page 3345

**ALABAMA PUBLIC SCHOOL AND COLLEGE AUTHORITY**

Bonds, to issue—  
HB 993, page 746  
SB 525, pages 2845, 2846, 3871, 4434, 4468  
SB 752, pages 2141, 2631, 4407

**ALABAMA PUBLIC SERVICE COMMISSION**

Action on appeals from—  
HB 15, page 9

Appeals, provided for—  
SB 72, pages 1482, 1483, 3861

Certificate of convenience and necessity, utilities required to obtain from—  
HB 303, page 165

Motor carriers, to authorize—  
HB 1543, page 1677

Municipalities, gas systems, to transfer—  
HB 991, pages 746, 930

Reorganized—  
SB 838, pages 2142, 2143

See also: Public Service Commission—  
Supernumerary public service commissioners, to serve on—  
HB 448, pages 231, 1311

**ALABAMA REAL ESTATE COMMISSION**

Created—  
HB 1080, pages 879, 1462, 2686, 3070, 3071, 3383, 3390  
SB 797, pages 2141, 2459, 3378, 3380, 3409, 3699

## ALABAMA RECREATION COMMISSION

Created—

HB 362, page 189

## ALABAMA RULES OF CIVIL PROCEDURE, REPEALED

Rule 26 (b) (2), relating to liability insurance—

HB 830, pages 527, 929

## ALABAMA RULES OF THE ROAD ACT

Highway and traffic safety rules, provided—

HB 719, pages 438, 1468, 2686, 3070, 3383

## ALABAMA SAFETY AND HEALTH APPEAL COMMISSION

Created—

HB 1649, page 1943

## ALABAMA SALES TAX LAW

Amended—

HB 794, page 508

## ALABAMA'S CONGRESSMEN AND THEIR WIVES

Recovery, wished—

HJR 99, pages 537, 999, 1040, 1179

## ALABAMA SECURITIES COMMISSION

Director of, appointed—

HB 1686, page 2026, 2459

Functions and duties, provided—

HB 444, pages 229, 579, 2048, 2093

## ALABAMA SEMI-PRO BASEBALL TEAM

Appropriation, provided—

HB 1257, pages 1101, 1309

## ALABAMA SIGHT CONSERVATION ASSOCIATION

Sale and use taxes, exempt—

HB 1106, page 939

HB 1231 page 1090

## ALABAMA SOCIETY FOR CRIPPLED CHILDREN

Employees retirement system, employees of, to come under—

SB 357, pages 1689, 1690

ALABAMA SOCIETY FOR CRIPPLED CHILDREN AND ADULTS,  
INC.

Taxation, exempt—

HB 1367, pages 1245, 2876

## ALABAMA STATE APPROVING AGENCY

State department of education, appropriation provided—

HB 820, pages 525, 1475, 3071, 3384

## ALABAMA STATE BOARD OF EDUCATION

Appropriation, provided—

HB 1419, pages 1313, 2630, 3066

ALABAMA STATE BOARD OF HEALTH

Renal diseases, care program for persons suffering from—  
HB 1035, page 829

ALABAMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL  
ENGINEERS AND LAND SURVEYORS

Appropriation, provided—  
HB 1259, pages 1124, 1650, 2196, 2256, 2538, 2685, 3069, 3236

ALABAMA STATE DOCKS DEPARTMENT

Bonds, authorized to issue—  
HB 1605, pages 1864, 2114, 2537, 2558,  
HB 1606, pages 1865, 2114, 2537, 2559

Coal, severance tax on, to be used to pay off bonds—  
HB 1607, pages 1866, 2115, 2537, 2563, 2570

ALABAMA STATE EMPLOYEES' ASSOCIATION

Employees' Retirement System, member of, employees of—  
HB 631, pages 355, 2116, 3382

Withholding of dues, authorized and provided—  
HB 763, pages 447, 585

ALABAMA STATE UNIVERSITY

Appropriation, provided—  
HB 1419, pages 1313, 2630, 3066

Board of trustees, created—  
HB 182, page 94  
HB 183, page 94  
HB 713, pages 399, 585, 784, 1803, 3847, 3905, 4115  
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ALABAMA SURFACE MINING ACT OF 1969

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HB 1323, pages 1204, 1461, 2536, 2547

ALABAMA SURFACE MINING RECLAMATION COMMISSION

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HB 992, page 746  
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3374, EX AMDT

ALABAMA TRAVEL COUNCIL

Appropriation made to—  
HB 614, pages 350, 1479, 1729, 2078, 2084, 2111

ALABAMA UNIFORM ANATOMICAL GIFT ACT

Licensees to comply with—  
HB 1232, pages 1090, 1924

ALABAMA UNIFORM COMMERCIAL CODE

Warranties of merchantability or fitness, exclusion or modification  
of—  
HB 225, pages 106, 216, 493, 773

**ALABAMA WATER MANAGEMENT ACT**

Amended—

HB 1396, pages 1257, 1465

**ALABAMA WOMEN'S HALL OF FAME**

Established—

HB 843, pages 532, 1476, 2083, 2084, 4132, 4146, 4498

**ALABAMA WORTHLESS CHECK ACT**

Amended—

HB 1109, page 939

**ALBERTVILLE**

City of, boundaries altered—

HB 1747, pages 2163, 2463, 2713, 3655, 3695, 3856

**ALCOHOL**

Broad treatment, provided for—

HB 341, page 180

**ALCOHOLIC BEVERAGE CONTROL ACT**

Creation of—

HB 743, pages 441, 1402, 2049, 2195, 2250, 2255, 2343, 2433

**ALCOHOLIC BEVERAGE CONTROL BOARD**

Counties 10,660 or less population, draft or keg beer, to allow—

HB 1661, pages 1946, 2009, 2218

Powers of, in advertising, restricted—

HB 836, pages 530, 1076

Reusable containers, redemption center established and regulated by—

HB 135, page 66

**ALCOHOLIC BEVERAGES**

Additional tax on, provided—

HB 1319 page 1204

HB 1320 page 1204

Advertising of, restricted—

HB 836, pages 530, 1076

Dale county, malt or brewed, sale of, permitted—

HB 1838, pages 2470, 2641, 3088

Dry counties, town and city elections on sale and distribution of, in—

HB 354, page 186

Miniatures, sold in, taxed—

HB 1445, page 1340

Municipalities 100,000 or more population, times of use, governing body, to determine—

HB 1394, page 1256

Operation of motor vehicles while under the influence of—

HB 458, page 233



## ALCOHOLIC BEVERAGES (Continued)

Person under influence of, in public place, in possession of pistol or handgun—

HB 102, page 42

Possession of, pertaining to—

HB 1846, pages 2473, 2869, 3382

Regulated and controlled—

HB 743, pages 441, 1402, 2049, 2195, 2250, 2255, 2343, 2433

State liquor stores, Sunday, closed one day in addition to—

HB 1495, page 1504

Triana, city of, Madison county, regulated—

SB 1162, pages 2831, 2834, 2870, 3374, 3409

Wine, made at home, allowed—

HB 1133, pages 952, 1301

Counties 10,600 or less population, draft or keg beer, allowed—

HB 1661, pages 1946, 2009, 2218

Counties 10,660 or less population, table wines, sales or, permitted—

HB 1841, pages 2471, 2636, 3079, 3849, 3909, 4116

Counties 11,500 to 12,500 population, table wines, sale of, permitted—

HB 1720, pages 2042, 2126, 2334, 3658, 3688, 3856

Counties 23,800 to 23,925 population, table wines, sale of, permitted—

HB 1912, pages 2674, 2867, 3355, 3938, 3986, 4116

Counties 24,500 to 25,000 population, table wine, allowed—

HB 1662, pages 1946, 2009, 2219, 3630, 3882, 3985, 4095, 4117

Counties 34,875 to 36,000 population, specific time for serving, provided—

HB 1919, page 2878

Counties 90,000 to 100,000 population, beer, privilege license tax on, levied—

SB 1237, page 3642

Counties 90,000 to 100,000 population, malt, or brewed, tax on, imposed—

HB 1379, pages 1247, 1472, 1724, 2772, 2806, 2852

Counties 90,000 to 100,000 population, malt or brewed beverages, tax levied on—

HB 1957, page 3263

Counties 95,000 to 115,000 population, draft beer, legalized—

HB 1835, pages 2470, 2641, 3087, 3853, 3904, 4115

SB 1173, pages 3288, 3306, 3704, 3920, 4073

Counties 95,000 to 115,000 population, sale of and tax on, regulated—

HB 1735, pages 2160, 2260, 2528, 3594, 3689, 3856

SB 1134, pages 3269, 3273, 3703, 3918, 4073

Counties 150,000 to 180,000 population, hours to be sold, regulated—

HB 1506, pages 1506, 2007, 2221, 3997, 4063, 4117

**ALCOHOLISM**

Alabama alcoholic beverage control liquor stores, profits from, to go  
for treatment—  
HB 1241, page 1092

**ALEXANDER CITY**

Boundary lines altered—  
HB 1922, page 2881

**ALEXANDER CITY JUNIOR COLLEGE**

Grant, appropriated to—  
HB 925, pages 665, 1477, 2071, 2196, 2256, 2538, 2686, 3069, 3383,  
3665

**ALLEN, SENATOR**

Support asked—  
SJR 30, pages 405, 420, 614

**ALLOWANCES**

Subsistence, law enforcement officers, provided—  
HB 32, pages 12, 1311

**ALSTON, W. J.**

Commended—  
HR 260, pages 1935, 2601

**AMBULANCES**

Protected against non-payment—  
HB 1365, pages 1244, 1463, 2537, 2685, 3069, 3182

**AMBULANCE SERVICE**

Authorized—  
HB 218, pages 105, 342, 1369

Counties and municipalities, to establish—  
SB 209, pages 1691, 2121, 3840, 3935

Tuscaloosa county, provided—  
HB 1590, pages 1853, 1931, 2060, 3586, 3680

Counties 10,900 to 11,500 population, established—  
HB 1843, pages 2471, 2636, 3080, 3851, 3902, 4115

**AMERICAN FEDERATION OF TEACHERS**

State Tenure Commission, one member from—  
HB 613, page 350

**AMERICAN MEDICAL ASSOCIATION PROGRAM TO IMPROVE  
MEDICAL CARE AND HEALTH SERVICES IN JAILS**

Legislature to support—  
HJR 431, page 4149

**AMVETS**

Representative from, added to, State Board of Veteran Affairs—  
HB 652, pages 360, 423, 1837

State Board of Veterans Affairs, added to—  
SB 152, pages 1689, 1690, 1924, 3860, 4097, 4133

**ANATOMICAL GIFTS**

Indicated on driver's licenses—  
HB 1036, pages 829, 1750

**ANATOMICAL GIFTS (VOLUNTARY)**

Upon driver's license, provided—  
HB 951, pages 682, 1462, 2049, 2196, 2255, 2537, 2618

**ANIMAL TECHNICIANS**

Examination and registration of, provided—  
SB 660, pages 2143, 2460, 4436, 4468

**ANIMALS**

Cruelty to, pertaining to—  
HB 236, pages 111, 340, 1174, 1358  
SB 132, pages 538, 1190, 1358, 1516, 1658

**ANIMAL TECHNICIANS**

Provided further for—  
HB 988, pages 744, 1300, 2686, 3070, 3383

**ANIMALS**

Equine, entering state, clean bill of health, to be accompanied by—  
HB 1346, page 1215

Fur-bearing, licenses exemptions in certain cases—  
HB 932, page 671

Slaughter of, inspection of, provided—  
HB 1388, pages 1252, 1465, 3069, 3167

**ANNIE LEE CHERRY**

George C. Wallace, State Community College, gymnasium at, named  
for—  
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**ANNISTON**

Civil service board, provided for—  
HB 1237, pages 1091, 1472, 1723, 3586, 3680

George M. Hudson, building named—  
SB 380, pages 1482, 1483, 1748

Special property tax, levied—  
HB 1736, pages 2160, 2260, 2529, 3654, 3697, 3857  
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**ANNUAL LEAVE**

Persons re-hired by state, regulated—  
HB 1616, page 1867

**ANNUAL SESSIONS**

Time of convening, provided—  
SB 616, pages 1887, 2457, 4108, 4399, 4401, 4417, 4446, 4494

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Contributions made under, income taxes, deductions on—  
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State merit system, information on, regulated—  
HB 683, page 389

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Standards, set further—  
HB 777, pages 452, 585

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Alabama A & M University, provided—  
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Alabama Code Revision Committee, provided—  
HB 1236, pages 1090, 2875, 3382

Alabama Constitutional Commission, provided—  
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Alabama Forestry Commission, provided—  
HB 960, page 725  
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Alabama Historical Commission; preserving historic landmarks—  
HB 1923, page 2882

Alabama Historical Commission, provided—  
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Alabama Postsecondary 1202 Commission, to—  
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Alabama Recreation Commission, for—  
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Alabama State Approving Agency, provided—  
HB 820, pages 525, 1475, 3071, 3384

Alabama State Board of Registration for Professional Engineers and  
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Alabama Travel Council—  
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- Alabama Women's Hall of Fame, provided—  
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- Arab City Board of Education, provided—  
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- Atmore Trade School, provided—  
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- Auburn University at Montgomery, provided for—  
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- Auburn University seed processing facility, provided—  
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- Birmingham Festival of Arts, \$50,000—  
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- Birmingham Institute for Neurological Development, provided—  
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- Bureau of Publicity and Information, provided—  
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- Central High School, Lauderdale county, for construction of—  
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- Certain state buildings, renovated—  
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- Chattahoochee Valley Community College, provided—  
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- Choctawhatchee River Watershed Association—  
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- Commission on Aging—  
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- Continuing education for nurses, provided—  
HB 1930, page 2883
- Department of Agriculture and Industries, provided—  
HB 1452, page 1407
- Department of Conservation and Natural Resources, Division of  
Game and Fish and Water Safety—  
HB 442, pages 229, 379, 983
- Department of Health, Medicaid program, for operation of—  
HB 99, page 42  
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- Executive, legislative and judicial departments, public schools, provided—  
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HB 1549, pages 1682, 1743

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HB 200, pages 101, 1473, 2538, 2685, 3069, 3222

Harry V. Schmidt, provided—

HB 818, pages 5240, 1195, 3382, 3812, 4468, 4491, 4500

Helen Simpson, provided—

HB 977, pages 734, 1310, 1837, 3562

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SB 772, pages 2837, 2839, 3867, 4337, 4477

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J. W. Hunter, provided—

HB 1578, page 1772

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HB 48, pages 15, 424, 544, 550, 2440, 2545, 2625

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HB 1551, pages 1757, 1840, 1919, 1949, 1974, 2112, 2126, 2252

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Mary Jeanette Day, for relief of, provided—

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Mobile county, service organization provided—

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Commission, provided—

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Ray Howell, relief of—

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State funds, provided—

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rections, Highway Department and State Docks, provided—

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University of Alabama, Birmingham, made—

HB 435, pages 203, 1310, 1456, 1919, 1933, 2004

University of Alabama in Huntsville, provided—

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University of Alabama, provided—

HB 616, pages 350, 2116, 2537, 2685, 2792, 3069, 3193, 3203, 4424, 4487, 4500

University of North Alabama, provided—

HB 1417, pages 1313, 1476, 2537, 2684, 3068, 3108

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HB 891, pages 603, 1475, 1810, 2001, 2049, 2196, 2255, 2537, 2684, 3068, 3097

HB 892, pages 604, 1475, 1833, 2001

Counties 34,875 to 36,000 population, for certain purposes, provided—

HB 1366, pages 1245, 1468, 1710, 2772, 2806, 2852

Counties 39,500 to 41,500 population, rescue squads—

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Counties 57,000 to 61,000 population, fire departments, provided—

HB 1692, pages 2030, 2125, 2328, 3559, 3576

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City of, appropriation to board of education—

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HB 81, pages 29, 427, 2076, 2077, 4141, 4160, 4499

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Counties 500,000 or more population, defined—  
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Clarke county, appropriation, provided—  
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Unincorporated, further regulated—  
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Shelby county, appropriation, provided—

HB 1268, page 1135

State, Alabama State University, all power in, divested of—

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State, employees of, out-of-state travel, allowed for—

HB 79, pages 29, 587, 3071, 3382, 3836, 3838

State, expense allowances, increased—

HB 868, pages 592, 1195

State, Interstate agreement or qualification of educational personnel, established—

HB 814, pages 523, 577

State, members of, educators serving as—

HB 173, pages 93, 1183, 1815

Vocational school, operated—

HB 716, pages 433, 923, 1068

Cities 7,400 to 7,600 population, power to borrow against expected revenue, provided—

HB 1952, pages 3260, 3463, 3740, 4122, 4143, 4498

SB 1170, pages 2895, 2898, 3467, 3761, 3928

Cities 22,000 to 25,000 population, education, park and recreation programs, responsible for—

SB 765, pages 3030, 3041

Counties 46,600 to 49,050 population, expense allowance, provided—

SB 1194, pages 3337, 3343, 3468, 3765, 3929

Counties 52,500 to 54,000 population, meetings, regulated—

HB 1883, pages 2648, 2665, 3349, 3997, 4065, 4117

Counties 60,000 to 65,000 population, expense allowance, provided—

HB 1823, page 2298

Counties 90,000 to 100,000 population, malt or brewed beverages, to borrow against revenue from—

HB 1172, pages 1014, 1122, 1229, 2797, 2859, 3246

Counties 90,000 to 100,000 population, meeting set—

SB 465, pages 3030, 3041, 3465, 3750, 3935

Counties 600,000 or more population, compensation, set—

HB 1635, page 1937

SB 1068, pages 3041, 3049, 3704, 3921, 4075

Counties 600,000 or more population, school pupils, public transportation, to provide—

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Municipalities 70,000 to 300,000 population, election of, provided—

SB 952, pages 2966, 2992, 3866, 4169, 4202, 4384

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**BOARD OF DISPENSING OPTICIANS**

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**BOARD OF EMBALMING**

Powers and duties, extended—

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Conecuh county, members of, pay increased—

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Counties 27,000 to 27,900 population, expense allowance, additional provided—

HB 269, pages 149, 220, 329, 2744, 2775, 2851

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**BOARD OF HEALTH**

State, health facility construction, moratorium on, declared—

HB 1642, pages 1939, 2118, 2538, 2685, 3068, 3069, 3147

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HB 801, pages 509, 2873, 3365, 3848, 3908, 4116

County, employees of, cities 250,000 or more population pension system provided—

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Counties 300,000 to 500,000 population, services rendered by, charges for—

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HB 1164, pages 1012, 1308, 1447, 3643, 3697, 3857

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Counties 300,000 to 500,000 population, to issue certificates of health safety—

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**BOARD OF JURY SUPERVISORS**

Dale county, created—

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HB 1795, pages 2266, 2463, 2712, 3996, 4064, 4117

**BOARD OF REGISTRARS**

Calhoun county, meetings of and clerical assistance to, provided—

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Elmore county, relieved of visiting precincts—

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Lauderdale county, salary increased—

HB 1792, pages 2263, 2463, 2711, 3656, 3696, 3856

Marshall county, voter registration, to hold twice a year at each school or college—

HB 1800, pages 2275, 2464, 2714, 3659, 3700, 3857

Marshall county, expense allowance, provided—

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Tuscaloosa county, compensated—

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Counties 53,000 to 55,000 population, funds provided for office of—

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Counties 150,000 to 180,000 population, member of, to visit legislative districts—

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Counties 300,000 to 500,000 population, voters, to reidentify and register—

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Created—

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## BOARD OF TRUSTEES

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HB 185, page 95

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Auburn University, appropriation, provided—

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Auburn University at Montgomery, created—

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HB 1228, pages 1089, 1302

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Registration certificates, transferred and/or duplicated, fee increased—  
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HB 1929, page 2883

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HB 947, page 679

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Washington county, used in nighttime deer hunting, declared to be contraband—  
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John C. Calhoun State Community College, named—  
HB 1427, pages 1319, 1462, 2069

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Elk River Development Agency, authorized to issue—  
HB 273, pages 152, 583, 1789

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HB 747, pages 443, 1474, 2080, 4154, 4186, 4499

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Issuance of, by certain public corporation, provided—  
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Issuance of, for aviation exhibits, provided—  
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Medical clinic boards, authorized to issue—  
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HB 593, page 309

State Docks Department, authorized to issue—  
HB 1605, pages 1864, 2114, 2537, 2556  
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State Highway Department, appropriation for payment of, provided—  
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State Industrial Development Authority, to issue—  
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## BOOKER, MISS JOSEPHINE

Congratulated—  
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## BOONE, MRS. ELSIE

Commemorated—  
HR 303, pages 2151, 2599

## BOSTON AND LOUISVILLE

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## BOUNDARIES

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HB 323, pages 171, 582, 700, 1656, 1661, 1838

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HB 328, pages 177, 293, 367

**BOWICK, ROBERT (BOBBY)**

Commended—

HJR 372, page 3065

**BOXING**

Sunday, allowed on—

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**BRADDOCK, ORVILLE E.**

Death, mourned—

HJR 354, pages 2677, 3269, 3850, 3924, 4116

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Filing fee, labor unions, increased—

HB 1521, page 1674

Relating to—

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**BRADFORD, SR., JACK**

Death mourned—

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**BRAGG, PETER**

Commended—

HR 250, pages 1845, 2600

**BRANCH BANKS**

Chambers county, authorized—

SB 1057, pages 3283, 3286

Childersburg, city of, authorized—

HB 1711, pages 2037, 2636, 3061, 3849, 3905, 4115

Monroe county, authorized—

SB 1115, pages 2895, 2898, 3258, 3541, 3722

Winston county, provided—

SB 1113, pages 3284, 3286, 3864, 4163, 4385

Counties 36,500 to 39,200 population, authorized—

HB 1585, pages 1851, 1931, 2058, 2449, 2566, 2626

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Livestock, registration of, requested—

HB 415, pages 199, 587, 3068, 3161, 3382, 3405, 3406

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Commended—

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Radio and television, license tax exemption—  
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Commended—  
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**BROWN, MR. AND MRS. W. O.**

Commended—  
HR 295, pages 2148, 2599

**BRUCELLOSIS**

Eradicated—  
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**BRYANT-DENNY STADIUM**

Names—  
SB 868, pages 1685, 1686, 1924, 2195, 2221, 2245

**BRYANT, GEORGE H.**

Death mourned—  
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**BRYCE HOSPITAL**

Persons in, provided for—  
HB 973, pages 732, 1476, 2538, 2685, 3069, 3235

**BUDGETS**

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**BUILDING CODES**

Minimum standards, adopted; State of Alabama—  
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Credit Union Board, appointment provided—  
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Director of, funds increased—  
HB 535, pages 297, 1402

**BURGESS, RAY**

Committee to assist family, appointed—  
HR 173, page 1199

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Death mourned—

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Investments of, regulated—

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Located outside municipal limits, municipalities power to license, restricted—

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**BUSINESS TAX**

Madison county, levied—

HB 770, pages 449, 930, 1049, 3590, 3676, 3854

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Unlawful riding on, penalty increased—

HB 351, pages 186, 421, 1899

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**BUTLER COUNTY (McKenzie)**

Boundary lines, extended

HB 941, pages 675, 723, 906, 2746, 2777, 2851

**BUTLER COUNTY**

County officers, certain, salaries increased—

HB 1248, pages 1096, 1185, 1455, 2772, 2807, 2852

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**CAHABA RIVER BRIDGE**

Perry county, Walter C. Givhan, named—

HB 1493, pages 1503, 1748, 2049, 2109, 3851, 3902, 4115

**CAHABA RIVER COMMISSION**

Created—

HB 1925, pages 2882, 3457

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**CALHOUN COUNTY**

Board of Registrars, meetings of and clerical assistance to, provided—

HB 214, pages 103, 218, 321, 2436, 2542, 2625

City of Piedmont, civil service system, established—

HB 1401, pages 1258, 1472, 1725, 3849, 3907, 4115

DeArmanville Junior High School, gymnasium named—

HB 831, pages 528, 585, 1693

Employee's, civil service system, provided—

HB 990, pages 744, 1242, 1348, 1354, 1356, 2454, 2568, 2626

## CALHOUN COUNTY (Continued)

Industrial Development Authority created—

HB 997, pages 748, 1242, 1348, 1354, 1355, 1430, 1695, 2762, 2778, 2851

SB 135, pages 1487, 1492

Jacksonville, city of, civil service board, pay increased—

HB 1703, pages 2034, 2260, 2526, 3658, 3688, 3856

License commissioner, liability, relieved of—

HB 530, pages 296, 344, 408, 2451, 2606, 2627

Wet-Dry referendum, to be held every four years—

HB 1702, pages 2033, 2259, 2525, 3849, 3907, 4115

White Plains High School, library named—

HB 832, pages 528, 585, 1694

## CALLAHAN, H. L. "SONNY"

Congratulated—

HJR 19, pages 135, 402, 412, 419

## CAMP HILL

Tallapoosa county, collection of sales tax, amended—

HB 935, pages 672, 723, 906, 2447, 2549, 2626

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Regulated—

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## CANVASS PROCEDURES

County canvass to be sent to Secretary of State—

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## CAPITAL OFFENDERS

Rewards for, regulated—

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## CAPITOL

Appropriation for renovation, provided—

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## CARR, CLAUDE

Honored—

SJR 110, pages 2850, 3269, 3409



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Public highways, minimum speed limit, created—  
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**CARTER, HUGH D.**

Gymnasium, named for—  
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**CASH REGISTER RECEIPTS**

Grocery stores, customers provided—  
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**CATFISH**

Marketing of, regulated—  
HB 1804, pages 2284, 2462, 2686, 3070, 3383, 3833, 4405, 4481, 4500

**CATTLE**

Brucellosis, eradicated—  
HB 1452, page 1407

Slaughtered, inspection of, provided—  
SB 933, pages 2140, 2462, 3167, 3249

**CAUTHEN, MAYOR PECK**

Recovery, wished—  
HR 78, pages 362, 401

**CAVES AND CAVERNS**

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**CENTRAL COMPUTER REGISTRATION SYSTEM**

Secretary of State, to establish—  
HJR 355, pages 2678, 3067, 3629

**CENTRAL HIGH SCHOOL**

Lauderdale county, appropriation for construction of—  
HB 1487, page 1500

**CENTREVILLE**

City of, personnel and merit system, established—  
HB 1953, pages 3260, 3463, 3741, 4123, 4144, 4498

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Renamed—  
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**CERTIFICATE OF CONVENIENCE AND NECESSITY**

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Gasoline and motor fuels, excise tax on, issued—  
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## CERTIFICATE OF REGISTRATION

## Requirements—

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## Board of Education, election of, provided—

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## Branch banks, authorized—

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## Certain officers, salary increased—

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## Commission, Assistant County Engineer, to appoint—

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## Coroner, compensated further—

HB 260, pages 147, 220, 328, 2744, 2775, 2851

## County commission, Wilma M. Atkinson, to provide relief of—

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## Officers of, salaries raised—

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## Probate judge, clerks, to appoint—

HB 259, pages 145, 220, 328, 2744, 2775, 2851

## Probate judge of, Chief Clerk of, relieved of certain duties—

HB 257, pages 143, 220, 327, 2744, 2775, 2851

## Retired persons, to be employed by county—

HB 258, pages 144, 220, 328, 365, 2744, 2775, 2851

## Voter reidentification, provided—

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## Commemorated—

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**CHEAHA PARK SCENIC DRIVE**

Designated—  
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**CHEROKEE COUNTY**

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 HB 1884, pages 2648, 2865, 3349

Rescue squad, taxes, exempt—  
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Tax Assessor, expense allowance, provided—  
 HB 1886, pages 2650, 2865, 3350

Tax Collector, expense allowance, provided—  
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**CHERRY, MRS. ANNIE LEE**

George C. Wallace State Community College, gymnasium named—  
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City of, Mobile County, boundaries rearranged—

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5th Judicial Circuit, appointed—

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Counties, financial report of, on form provided by—

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**CHIEF EXAMINER OF THE EXAMINER OF PUBLIC ACCOUNTS**

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Administrative director of courts as assistant to—

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Court Reporter, Court of Law and Equity, expense allowance, provided—

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Special license tag, issued to owners of—  
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**CITRONELLE**

Boundaries altered—  
HB 1947, pages 2890, 3280, 3549, 3715, 3783, 3784  
SB 1254, pages 3633, 3643, 3865, 4168

**CITY COUNCIL**

Election of—  
HB 321, page 170

**CITY-COUNTY TRANSPORTATION POOL**

Counties 150,000 to 180,000 population, established—  
SB 155, pages 3274, 3286

**CITY GOVERNING BODY**

Cities 300,000 or more, method of city council election—  
HB 321, page 170

**CITY IMPROVEMENTS**

Contracts for, pertaining to—  
HB 1359, page 1217

**CITY OFFICIALS**

Salaries, publication of—  
HB 649, page 358

**CITY RECORDER'S COURT**

Misdemeanor cases, appealed in minute entries of, circuit court  
provided—  
HB 142, pages 67, 216, 493, 771

**CITY SCHOOL DISTRICTS**

Counties 600,000 or more population, defined—  
HB 1192, pages 1025, 1405, 1705, 2446, 2549, 2626

**CIVIC CENTER**

Employees, cities 250,000 or more population, pension system pro-  
vided—  
HB 51, pages 18, 581, 696, 2440, 2594, 2626

**CIVIC ORGANIZATIONS**

Taxation and licensing, exempt—  
HB 1021, page 812  
HB 1520, page 1674

**CIVIL CASES**

Counties 57,000 to 61,000 population, service of process in, by registered mail, provided—

HB 1857, pages 2488, 2636, 3083, 3660, 3686, 3855

**CIVIL COURT**

Jefferson county, established—

HB 1518, pages 1668, 2867, 3357, 3848, 3909, 4116, 4335, 4400, 4482, 4500 Ex Amdt

SB 1038, pages 3042, 3049, 3704, 3921, 4075

**CIVIL DEFENSE AGENCY**

Employees of, cities 250,000 or more population, pension system provided—

HB 51, pages 18, 581, 696, 2440, 2594, 2626

**CIVIL LIABILITY**

Persons who render emergency aid, exempt from—

HB 454, pages 233, 1082

Volunteer firefighters, exempt from—

HB 561, pages 303, 425, 1773, 2196, 2256, 2538, 2686, 3069, 3382

**CIVIL SERVICE BOARD**

Cities 50,000 to 60,000 population, created—

SB 1262, pages 3846, 3847

Counties 110,000 to 150,000 population, salaries, provided—

HB 1837, pages 2470, 2641, 3087, 3849, 3909, 4116

Jacksonville, city of, pay increased—

HB 1703, pages 2034, 2260, 2526, 3658, 3688, 3856

**CIVIL SERVICE MERIT SYSTEM**

County and city, provided for—

HB 338, pages 180, 1923, 3070, 3383

Counties 39,500 to 41,500 population, provided—

HB 1234, pages 1090, 1186, 1280, 2763, 2779, 2852

Municipalities 135,000 to 185,000 population, law enforcement officers, provided—

HB 1915, page 2674

**CIVIL SERVICE SYSTEM**

Anniston, provided—

HB 1237, pages 1091, 1472, 1723, 3586, 3680

Calhoun county, employee's, provided—

HB 990, pages 744, 1242, 1348, 1354, 1356, 2454, 2568, 2626

Jasper, city of, provided—

HB 1905, pages 2663, 2866, 3354, 4003, 4066, 4117

Mobile county, created—

SB 571, pages 2907, 2914, 3865, 4165, 4383

Mobile county, established further—

HB 781, pages 453, 1307, 1445, 3965, 4065, 4117

## CIVIL SERVICE SYSTEM (Continued)

Oxford, city of, provided—

SB 1177, pages 3053, 3059, 3467, 3761, 3929

Piedmont, city of, Calhoun county, provided—

HB 1401, pages 1258, 1472, 1725, 3849, 3907, 4115

Tuscaloosa, city of, provided—

SB 859, pages 3278, 3286

SB 860, pages 3279, 3286

Walker county, provided—

HB 931, pages 670, 723, 904

## CIVIL TORT ACTION

Recovery in, contributory negligence, shall not bar—

HB 1089, pages 887, 1188

## CLANTON DIXIE YOUTH ALL-STARS

Congratulated—

HR 224, pages 1637, 1693

## CLARKE COUNTY

Association for Retarded Citizens, appropriation provided—

HB 1011, pages 803, 928, 1043, 2750, 2767, 2851

Branch banks, authorized

HB 1272, pages 1136, 1186, 1282, 2772, 2806, 2852

Commission, meetings, provided for—

HB 1384, pages 1251, 1305, 1434, 2773, 2807, 2852

County Commission Electric Data Processing systems, to provide—

HB 243, pages 113, 130, 273, 2749, 2766, 2851

County Commission, expense allowance, provided—

HB 1012, pages 804, 929, 1044, 2751, 2767, 2851

Grove Hill, Jackson, Thomasville, clerk of inferior court, recorder of municipal court, search and arrest warrants, to issue—

HB 1013, pages 805, 929, 1044, 2751, 2767, 2851

Nighttime deer hunting, equipment used in, declared contraband—

HB 245, pages 116, 131, 274, 2749, 2766, 2851

Tax Collector and Tax Assessor, clerks, provided—

HB 244, pages 114, 131, 274, 2749, 2766, 2851

## CLASSIFIED SERVICE

Appointment of persons to, provided for—

HJR 127, page 890

## CLAY COUNTY

Clerical and secretarial employees, employment of—

HB 325, pages 175, 219, 324, 2452, 2606, 2627

Hugo Black Museum Library Fund, appropriation, provided—

HB 1690, page 2030

## CLAY COUNTY (Continued)

One-half of fines from state trooper arrests, retained—  
HB 326, pages 176, 219, 325

State-wide property tax exemption, removed—  
HB 327, pages 177, 427

## CLEARING CORPORATION

Definition changed—  
HB 1308, pages 1200, 1751

## CLEBURNE COUNTY

Court cost in, relating to—  
HB 1889, pages 2652, 2865, 3351, 3938, 3987, 4116

Massage parlors, regulated—  
HB 1803, pages 2279, 2464, 2716, 3659, 3700, 3857

## CLEMENTS, MRS. AUDREY P.

Congratulated—  
HJR 77, pages 362, 401, 998, 1039, 1179

## CLERGYMEN

Privileged communication with, provided—  
HB 143, pages 67, 340, 1177

## CLERICAL ASSISTANTS

Russell county, hired—  
HB 111, pages 47, 292, 365, 1896, 2748, 2765, 2851

## CLERK-HIRE ALLOWANCE

Marshall county, county officers, provided—  
SB 1200, pages 3319, 3334, 3468, 3767, 3930

Counties 53,000 to 55,000 population, county officers, provided—  
SB 1199, pages 3342, 3344, 3468, 3767, 3930

Counties 53,000 to 55,000 population, probate office, provided—  
SB 1208, pages 3327, 3334, 3469, 3770, 3931

Counties 57,000 to 61,000 population, county officers, for, provided—  
HB 1695, pages 2030, 2125, 2329, 3590, 3677

## CLERK OF THE COURT

Marion county, additional compensation, provided—  
HB 597, pages 345, 380, 466, 2452, 2605, 2627

## CLERK OF THE HOUSE

Additional duties imposed on—  
HB 556, pages 302, 1078, 1159, 1161, 4405, 4481, 4500

Bills, transcripts of, to provide—  
HB 1362, pages 1244, 1462, 1833

Certification of local legislation—  
HB 390, pages 193, 576, 2074, 4325, 4395, 4499

## CLERK OF THE HOUSE (Continued)

Notice and proof of local legislation, certified—

HB 532, page 297

HB 602, pages 348, 1183

State ethics law, duties pertaining to, prescribed—

HB 240, pages 111, 216, 417, 494, 551, 1374, 1390, 1391, 1643, 1692,  
1714, 1740

Trade-in of purchased equipment, authorized—

HB 391, pages 194, 428, 545, 703, 1657, 1660, 1838

## CLERKS

Russell county, hired—

HB 111, pages 47, 292, 365, 1896, 2748, 2765, 2851

## CLIFFORD, W. B. "PETE"

Commended—

HR 293, pages 160, 339, 364

## CLIO

Town of, boundaries altered—

HB 1658, pages 1945, 3258, 3541

## COAL

Blount county, severance tax, levied on—

HB 1798, pages 2273, 2464, 2713

Cullman county, severance tax, provided—

HB 1916, pages 2674, 2867, 3356, 3893, 3987, 4116

Dekalb county, severance tax, levied on—

HB 1867, pages 2496, 2642, 3091, 3348, 3396, 3400, 4004, 4067, 4117  
SB 148, pages 2923, 2925

Severance of, excise and privilege tax, levied on—

HB 1499, page 1504

Severance of, from soil, taxed—

HB 1607, pages 1866, 2115, 2537, 2563, 2570

Surface mining, regulated—

SB 887, pages 2110, 2113, 2539, 2545, 2706, 2769, 2893, 3205, 3374  
Ex. Amdt.

## COAL MINES

Safety, provided for

HB 1586, pages 1851, 2117, 3068, 3168

## COAL SEVERANCE TAXES

Counties, prohibiting from levying—

HB 1332, pages 1212, 2872, 3382

## COASTAL AREA BOARD

Restructured—

HB 1138, page 963

## COASTAL WATERS

Fund established to assist agencies involved in energy resources in—  
HB 1478, pages 1426, 1466

## COBB, ESTON R.

Library named—  
HB 832, pages 528, 585, 1694

## CODE OF ALABAMA, 1940, AMENDED

Relating to bail—  
HB 61, pages 22, 215, 493, 766

Sections 115, 123, and 172, relating to the new Judicial Article—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258,  
4345, 4477

Title 2, Sections 25 and 27, relating to the State Board of Agriculture  
and Industries—  
HB 1095, pages 937, 1301

Title 2, Section 172, relating to cotton gins—  
HB 694, pages 391, 1301, 3068, 3165

Title 2, Sections 188 and 195, relating to the sale of milk and cream—  
HB 1474, pages 1425, 1465

Title 2, Section 386, relating to livestock dealers—  
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HB 548, pages 300, 1193, 3068, 3161

Title 2, Section 606, milk and milk containers, sale of—  
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Title 7, Section 119, relating to wrongful deaths caused by defective  
goods—  
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Title 7, Section 120, relating to wrongful death of a minor—  
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Title 7, Section 121, relating to wrongful death in result of sale of  
prohibited liquors—  
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## CODE OF ALABAMA, 1940, AMENDED (Continued)

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Title 7, Section 150, relating to survival of actions and causes of actions in favor of and against the personal representative of a decedent—

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Title 7, Section 625, relating to the exemption of homesteads from levy and sale for collection of debts—

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HB 691, page 390

Title 8, Section 38, relating to fishing license fees—

HB 1406, pages 1264, 1302, 2538, 2685, 3069, 3229

Title 8, Sections 39 and 40, relating to non-resident fishing licenses—

HB 484, pages 240, 578, 2538, 2685, 3069, 3226

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Title 8, Section 41, relating to the penalty for fishing without a license—

HB 484, pages 240, 578, 2538, 2685, 3069, 3226

Title 8, Section 44(2) making it unlawful for any person to back date a hunting or fishing license—

HB 557, pages 302, 378, 1728

Title 8, Section 57, relating to the appointment of Deputy Game and Fish Wardens—

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Title 8, Section 86, relating to hunting at night—

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Title 8, Sections 92 and 93, relating to hunting on another's property—

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- Title 15, Section 325, relating to place of confinement for prisoners—  
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- Title 42, Sections 19, 23 and 24, relating to the new Judicial Article—  
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- Title 45, Sections 132 and 133, relating to the State Board of Corrections—  
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- Title 45, Section 144, providing a daily prisoner feed allowance—  
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- Title 46, Section 22, State Bar Commissioners, election of—  
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Title 51, Section 38 and 189, relating to Tax Assessor and Tax Collector traveling—  
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Title 51, Section 179, changing the date for payments on Hydroelectric Power Tax—  
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Title 51, Section 252, relating to the sale of land for Ad Valorem Taxes—  
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Title 51, Section 276, relating to the content of tax sale deeds—  
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Title 51, Section 429, eliminating restrictions against levy and assess-  
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- Title 51, Section 808, to redistribute the balance of the tax collected—  
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- Title 52, Section 100, changing the name of local School Trustees—  
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- Title 52, Section 361, relating to the State Tenure Commission—  
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Title 55, Section 343, providing an increase in awarding authority of the State Board of Adjustment—  
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- Title 55, Section 346, relating to boxing, sparing or wrestling matches—  
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- Title 61, Section 84, relating to the granting of letters of administration—  
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- Title 62, Section 138, increasing Law Library Tax—  
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- Title 62, Sections 279-289, relating to the Teaching and Practice of Cosmetology—  
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- Title 2, Chapter 1, Article 22, relating to the sale of agricultural liming materials—  
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- Title 2, Section 6, relating to transaction of farm products after sunset and before sunrise—  
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Title 11, Section 29, revising the fee schedule for services rendered in probate offices—

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Title 15, Section 223, relating to prosecution for misdemeanors before a Justice of the Peace—

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Title 15, Sections 425, 426, 427, 428, 429, 430, 431, and Title 45, Sections 222, and 223, relating to defendants' capacity to continue with trial—

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Title 17, Chapter 2, relating to elections—

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Title 17, Sections 268 to 286, relating to campaign contributions—

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- Title 23, Section 131, relating to littering—  
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- Title 30, Section 10, relating to Jury Commissions—  
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- Title 37, Section 744, relating to Severability Clause—  
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- Title 46, Sections 121-128, relating to State Embalming Board—  
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- Title 52, Sections 138, 139, 140, 141, 143, 144, 145, 146, and 147,  
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- Title 57, Chapter 2, Sections 77-83, relating to fair trade regulations—  
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- Building, minimum standards, adopted—  
HB 342, pages 181, 343, 1370

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- Certain employees, compensated—  
HB 1625, pages 1875, 1932, 2066
- Cornelia Wallace Drive, named—  
HB 1730, pages 2044, 2123, 2325
- Engineer, employed—  
HB 1617, pages 1867, 1932, 2062
- Probate judge, tax assessor, tax collector, circuit clerk, placed on  
salary—  
HB 1624, pages 1874, 1932, 2066
- Public Building Authority, referendum, to establish—  
HB 1444, pages 1338, 1404, 1702
- Regulation of the fees, commissions, percentages, allowances, and  
compensation of county officers, authorized—  
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- Certain officers, compensation provided—  
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- Hospital, term defined—  
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HB 714, pages 433, 2008, 2210, 2313, 2515, 2611, 2679

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Counties 300,000 to 500,000 population, employees—

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Municipalities 100,000 to 135,000 population, firefighters, provided—

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Alabama A&amp;M University, Board of Trustees, created—

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HB 185, page 95

Alabama National Guard, members of, tuition charges, exempt from—

HB 27, page 11

Alabama State University, appropriation, provided—

HB 1419, pages 1313, 2630, 3066

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HB 183, page 94

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Annie Lee Cherry gymnasium, named—

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Auburn University at Montgomery, appropriation, provided—

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- Auburn University at Montgomery, Board of Trustees, created—  
HB 1564, page 1762
- Auburn University, Board of Trustees, appropriation, provided—  
HB 659, pages 381, 1475, 2049, 2196, 2255, 2537, 2684, 3068, 3108,  
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- Auburn University, seed processing facility, appropriation, provided—  
HB 545, page 300
- Certain students, fee tuition—  
HB 1026, page 813
- Chattahoochee Valley Community College, appropriation, provided—  
HB 1659, page 1946
- Chattahoochee Valley Community College, buildings named—  
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- Consortium product contract, provided—  
HB 842, pages 531, 1002
- Cooperative Extension Service of Auburn University, employees of  
Employee's Retirement System, to participate in—  
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- Deposits, maintained—  
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HB 1473, page 1425
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- George C. Wallace State Community College, appropriation, provided—  
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HB 1549, pages 1682, 1743
- George C. Wallace State Community College, gymnasium named—  
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Allen Building, named—  
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- Jefferson State Junior College, certain buildings, named—  
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## COLLEGES AND UNIVERSITIES (Continued)

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Library privileges, persons 65 years or older, extended to—

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Livingston State, appropriation, provided—

HB 1342, page 1214

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HB 1608, pages 1866, 1921, 2686, 3070

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Snead State Junior College, building, named—

HB 816, pages 523, 585, 1694, 4153, 4184, 4499

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HB 863, page 591

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State troopers who have finished, educational incentive allowances, provided—

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Talladega College, appropriation, provided—

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Troy State, John M. Long, Music Building, named—

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Tuskegee Institute, appropriation, provided—

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named—

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Program for—

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ship Program, established—

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Commended—

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Use of, regulated—

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Covington County, outlawed—

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- Shelby, Personnel Appeals Board, provided—  
HB 982, page 737
- Shelby, poisonous substances, spraying of, on forest, prohibited—  
HB 1942, page 2889
- Shelby, polling places, to be open—  
HB 873, pages 599, 656, 758, 2447, 2550, 2626
- Shelby, prisoner lunch allowance, provided—  
HB 871, pages 594, 656, 757, 2447, 2550, 2626
- Shelby, public corporations, created—  
HB 1466, pages 1423, 2006, 2200, 2313, 2511, 2707, 3616, 3691, 3856  
HB 1469, pages 1423, 1467, 2198, 2310, 2505, 2707, 3074, 3660, 3700, 3857
- Shelby, Recording System, improved, required—  
HB 872, pages 595, 656, 758, 2447, 2550, 2626
- St. Clair, Deputy Sheriff, salary provided—  
HB 927, pages 667, 802, 979, 3557, 3575, 3684
- St. Clair, governing body, Retirement Pension, provided—  
HB 1716, pages 2040, 2126, 2333, 4124, 4145, 4498
- St. Clair, Pistol Permit Fee, issued—  
HB 928, pages 668, 802, 980, 3557, 3575, 3684
- St. Clair, rescue squad, taxes, exempt—  
HB 1480, pages 1427, 1478
- Sumter, County Commission, state trooper arrest, fines from, to retain one-half of—  
HB 118, pages 55, 1311, 2067
- Sumter, Court of Record, established—  
HB 487, pages 240, 293, 369, 2438, 2544, 2625
- Sumter, hunting seasons, regulated—  
HB 1682, pages 2023, 2123, 2324
- Sumter, Sheriff, expense allowance, provided—  
HB 693, pages 390, 429, 550, 2438, 2544, 2625
- Talladega, automobile museum facilities, provided—  
HB 748, pages 443, 1474, 2080, 2082, 4154, 4185, 4499

## COUNTIES (Continued)

- Talladega, Lincoln, Town of, boundaries, altered—  
HB 1285, pages 1142, 1468, 1710, 3895, 3987, 4116
- Tallapoosa, branch banks, established—  
HB 1324, pages 1205, 1243, 1351, 2448, 2565, 2626
- Tallapoosa, collection of sales tax, amended—  
HB 935, pages 672, 723, 906, 2447, 2549, 2626
- Temporary loans, to make—  
SB 495, pages 2840, 2871, 3859, 4134
- Tuscaloosa, ambulance service, provided—  
HB 1590, pages 1853, 1931, 2060, 3586, 3680
- Tuscaloosa, Board of Registrars, compensated—  
SB 1022, pages 2894, 2895, 3466, 3756, 3927
- Tuscaloosa, county officials, expense allowance for—  
HB 231, pages 107, 380, 464, 2449, 2565, 2626  
HB 241, pages 112, 380, 465, 2449, 2565, 2626
- Tuscaloosa, court, ex-officio judge, created—  
SB 741, pages 2896, 2898, 3255, 3533, 3547, 3999, 4072
- Tuscaloosa, districts for fighting fires and collecting garbage, established—  
HB 1591, pages 1854, 1931, 2061  
HB 1592, pages 1855, 1932, 2061, 3847, 3908, 4116
- Tuscaloosa, ex-officio judge, office of, created—  
HB 1124, pages 945, 1472, 1722, 3873, 3944
- Tuscaloosa, fines and forfeitures, distributed—  
HB 1593, pages 1859, 1932, 2062
- Tuscaloosa, gasoline and liquid motor fuels, tax, levied on—  
HB 1824, pages 2298, 2469, 2730, 3890, 3987, 4116
- Tuscaloosa, jurors, compensated—  
SB 742, pages 2906, 2914, 3862, 4151, 4384
- Tuscaloosa, licensing commissioner, additional fees for services rendered, provided—  
HB 1589, pages 1852, 1931, 2060
- Tuscaloosa, Pistol Permits, fee, fixed—  
HB 1588, pages 1851, 1931, 2059
- Tuscaloosa, privilege or license tax, property purchased outside county, exempt—  
HB 232, pages 108, 131, 285, 2449, 2565, 2626
- Tuscaloosa, uniform compensation, provided, all law enforcement officers—  
HB 514, pages 252, 293, 370, 2442, 2596, 2627
- Voting machine requirements—  
HB 379, page 192
- Walker, Ad Valorem Tax, 4 mill, levied—  
HB 1481, pages 1497, 1649, 1785, 3588, 3682  
SB 988, pages 3028, 3030, 3703, 3916, 4072



## COUNTIES (Continued)

- Walker, Assistant District Attorney, compensated—  
HB 1253, pages 1098, 1186, 1281, 2450, 2566, 2626
- Walker, Civil Service System, provided—  
HB 931, pages 670, 723, 904
- Walker, Commissioner of Licenses, office of, created—  
HB 1903, pages 2657, 2866, 3354, 4003, 4066, 4117
- Walker, Dora, Town of, boundaries, extended—  
HB 1298, pages 1149, 1187, 1285, 2441, 2596, 2627
- Walker, Solicitor of County Court, abolished—  
HB 1254, pages 1099, 1186, 1281, 2450, 2567, 2626
- Walker, Superintendent of Education, compensated—  
HB 838, pages 530, 581, 696, 2447, 2549, 2626
- Washington, County Commission, election of, provided—  
SB 1071, pages 3792, 3795, 3864, 4162, 4384
- Washington, County Engineer hire to construct, maintain and repair road, bridges and ferries—  
HB 170, pages 87, 802, 978, 3588, 3683
- Washington, County School Board, expense allowance, provided—  
HB 1656, pages 1944, 2007, 2209, 3559, 3576, 3685
- Washington, nighttime deer hunting, equipment used in, declared to be contraband—  
HB 171, pages 90, 344, 406
- Washington, Probate Judge, Tax Assessor, Tax Collector, and Circuit Clerk, placed on salary—  
HB 1898, pages 2656, 2866, 3352, 3852, 3904, 4116
- Washington, public officials, additional expense allowance, provided—  
HB 920, pages 662, 721, 896, 900, 1041, 1101, 1161, 1227, 1271, 1347, 1430, 1694, 1775, 3593, 3689, 3856
- Washington, wild turkey, season for hunting, prescribed—  
HB 172, page 92
- Water Works Systems, to acquire—  
HB 1361, pages 1244, 2121  
SB 925, pages 2306, 2309, 2871, 4405, 4475
- Wilcox, Coroner, mileage allowance, set—  
HB 1486, pages 1500, 1649, 1785, 1789, 3591, 3678
- Winston, branch banks, authorized—  
HB 445, page 230  
HB 1668, pages 2010, 2122, 2410, 3647, 3694, 3856  
SB 1113, pages 3284, 3286, 3864, 4163, 4385
- Winston, Court of Law and Equity, Judge of, clerk-hire allowance for—  
HB 100, pages 42, 218, 320, 2747, 2764, 2851

## COUNTIES 10,660 OR LESS POPULATION

- Circuit Clerk and Register, expense allowance, provided—  
HB 1534, pages 1676, 2009, 2214, 3072, 3106, 3247

## COUNTIES 10,660 OR LESS POPULATION (Continued)

County Commission, expense allowance, provided—  
HB 1535, pages 1676, 2009, 2216, 3645, 3693, 3856

County flag, authorized—  
HB 1532, pages 1675, 2009, 2214, 3645, 3693, 3856

Draft or keg beer, allowed—  
HB 1661, pages 1946, 2009, 2218

Table wines, sale of, permitted—  
HB 1841, pages 2471, 2636, 3079, 3849, 3909, 4116

Tax Assessor, clerk-hire allowance, provided—  
HB 1536, pages 1676, 2009, 2216, 3645, 3708, 3857

Tax Collector, Clerical Assistant, provided—  
HB 1533, pages 1675, 2009, 2214, 3645, 3693, 3856

## COUNTIES 10,660 TO 10,900 POPULATION

County officers, compensated on salary basis—  
HB 1753, pages 2174, 2257, 2535, 3591, 3677

Court of County Commissioners, compensated fixed—  
HB 1868, pages 2497, 2637, 3085, 3659, 3700, 3857

Sheriff, expense allowance, provided—  
HB 295, pages 161, 344, 407, 2451, 2605, 2627

Sheriff, supernumerary, office of, created—  
HB 1752, pages 2174, 2257, 2534, 3847, 3907, 4116

## COUNTIES 10,900 TO 11,500 POPULATION

Ambulance service, established—  
HB 1843, pages 2471, 2636, 3080, 3851, 3902, 4115

Deputy Sheriffs, to hire—  
HB 1842, pages 2471, 2636, 3079, 3851, 3902, 4115

Rights-of-way, maintained—  
HB 1844, pages 2472, 2636, 3080

## COUNTIES 11,500 TO 12,500 POPULATION

County Commission, additional expense allowance, provided—  
HB 1949, pages 2892, 3259, 3545, 4124, 4145, 4498

Prisoner feed allowance, provided—  
HB 587, pages 307, 3866, 4138

Sheriff, additional jailor, provided—  
HB 1951, pages 2893, 3259, 3546

Table wines, sale of, permitted—  
HB 1720, pages 2042, 2126, 2334, 3658, 3688, 3856

Tax Assessor, secretary and expense allowance, provided—  
HB 1603, pages 1864, 1932, 2079

## COUNTIES 12,000 TO 12,800 POPULATION

County Court Clerk, warrants, to destroy—  
HB 1246, pages 1096, 1122, 1234, 2566, 2626

## COUNTIES 12,000 TO 12,800 POPULATION (Continued)

Pistol Permits, fee fixed—

HB 1245, pages 1096, 1122, 1234, 2450, 2604, 2627

## COUNTIES 12,700 TO 13,100 POPULATION

Circuit Clerk and Register, additional powers, conferred upon—

HB 1754, pages 2174, 2257, 2517, 3655, 3695, 3856

Coroner, mileage allowance, set—

HB 1413, pages 1312, 1472, 1725, 3586, 3681

Members, Board of Education, expense allowance, provided—

HB 346, pages 184, 219, 325, 2590, 2621, 2627

Tax Assessor and Collector, clerk-hire allowance, provided—

HB 1755, pages 2174, 2257, 2518, 3655, 3695, 3856

## COUNTIES 13,000 TO 13,250 POPULATION

Fines and forfeitures, distributed—

HB 1461, pages 1418, 1469, 1715

## COUNTIES 13,500 TO 14,250 POPULATION

Tax Assessor and Tax Collector, clerk-hire appropriation, provided—

HB 1831, pages 2301, 2465, 2719, 3848, 3908, 4116

## COUNTIES 14,000 TO 15,000 POPULATION

Circuit Court Bailiffs, provided for—

HB 581, pages 306, 423, 540, 2443, 2597, 2627

Clerk allowance, increased—

HB 957, pages 724, 800, 972, 2447, 2550, 2626

Jurors, provided for —

HB 582, pages 306, 423, 541, 2442, 2597, 2627

Wildlife, killing of, regulated—

HB 1861, pages 2488, 2637, 3084, 3661, 3687, 3855

## COUNTIES 15,400 TO 15,625 POPULATION

Deputy Coroner, provided—

HB 1456, pages 1414, 1469, 1713, 3963, 4063, 4116

State Legislature, member, office space, provided—

HB 717, pages 433, 498, 622, 2451, 2605, 2627

## COUNTIES 16,000 TO 16,250 POPULATION

County Commission, Schools for Exceptional Children, to appropriate money for—

HB 1096, pages 937, 1003, 1102

## COUNTIES 16,245 TO 16,300 POPULATION

County Commission, expense allowance, provided—

HB 894, pages 604, 721, 896, 2443, 2597, 2627

Probate Judge, Tax Assessor, Tax Collector and Circuit Clerk, clerk-hire allowance, provided—

HB 893, pages 604, 721, 895, 2443, 2597, 2627

Wildlife, killing of, regulated—

HB 1860, pages 2488, 2637, 3084, 3661, 3687, 3855

## COUNTIES 16,600 TO 16,950 POPULATION

Deputies, hiring of two, provided—

HB 101, pages 42, 218, 321, 2747, 2765, 2851

Hunting, regulated—

HB 1875, pages 2498, 2642, 3091, 3852, 3903, 4115

Winston County Court of Law and Equity, Judge of, clerk-hire allowance for—

HB 100, pages 42, 218, 320, 2747, 2764, 2851

## COUNTIES 16,700 TO 18,000 POPULATION

Probate Judge, Sheriff, Tax Assessor, Tax Collector and Circuit Clerk, Clerk appointed for—

HB 1787, pages 2194, 2258, 2519, 3656, 3696, 3856

## COUNTIES 17,000 TO 20,000 POPULATION

County Commission, election of, provided—

HB 1934, page 2885

Dan Powell, relief of, provided—

HB 765, pages 448, 502, 633, 928, 2746, 2776, 2851

SB 532, pages 2904, 2914, 3254, 3530, 3718

Fish, taking of, regulated—

HB 1863, pages 2489, 2637, 3085, 3852, 3903, 4115

## COUNTIES 18,500 TO 20,500 POPULATION

Commercial fisherman, helper, provided—

HB 653, pages 361, 380, 468, 2442, 2597, 2627

## COUNTIES 21,000 TO 22,000 POPULATION

County Commission, expense allowance, provided—

HB 1938, pages 2886, 3259, 3544, 3996, 4064, 4117

County Commission to appoint an Engineer Trainee, compensation, provided—

HB 1924, pages 2882, 3259, 3542, 3938, 3986, 4115

## COUNTIES 22,000 TO 22,500 POPULATION

Fines and forfeitures, from traffic violations, distributed—

HB 1375, pages 1246, 1748, 3803, 3804

Jurors, compensated, provided—

HB 1247, pages 1096, 1186, 1280, 2453, 2606, 2627

Pistol Permits, fee fixed—

HB 1851, pages 2486, 2641, 3089, 3852, 3903, 4115

Prisoner feed allowance, provided—

HB 1377, pages 1246, 1304, 1434, 1776, 1995, 2198, 2505, 3074, 3525

## COUNTIES 22,250 TO 23,000 POPULATION

Claims to County Commission, need not be sworn to—

HB 1688, pages 2028, 2641, 3086, 3849, 3909, 4116

## COUNTIES 22,575 TO 23,800 POPULATION

Corner, fee, to change—

HB 1960, pages 3263, 3701, 3921

COUNTIES 23,800 TO 23,925 POPULATION

- Jury Commission, salary provided—  
HB 1713, pages 2038, 2126, 2333, 3591, 3677
- Table wines, sale of, permitted—  
HB 1912, pages 2674, 2867, 3355, 3938, 3986, 4116

COUNTIES 23,900 TO 24,450 POPULATION

- Circuit Court Register, Clerical Assistant, to hire—  
SB 1066, pages 2899, 2904, 3466, 3757, 3927
- Circuit Court Reporter, expense allowance, provided—  
SB 1161, pages 3271, 3274, 3467, 3760, 3928
- Education officials, expense allowance, provided—  
SB 1176, pages 3288, 3306, 3467, 3762, 3928
- Prisoner feed allowance, provided—  
SB 1143, pages 3270, 3274, 3466, 3759, 3928
- Probate Judges, after fifteen years service, to assume extra duties if desired—  
SB 1159, pages 3271, 3274, 3467, 3760, 3928
- Sheriff, expense allowance, provided—  
SB 1184, pages 3307, 3318, 3467, 3762, 3929
- Solicitors fee, collection of, allowed—  
SB 1142, pages 3270, 3274, 3466, 3759, 3928

COUNTIES 24,000 TO 24,800 POPULATION

- Land management controls, authorized—  
HB 712, pages 398, 424, 543, 620, 1657, 1661, 1838

COUNTIES 24,500 TO 25,000 POPULATION

- Public law library, established—  
HB 1719, pages 2042, 2126, 2334
- Sheriff, expense allowance, provided, Deputies, salaries, raised—  
HB 1950, pages 2892, 3259, 3546, 3981, 4063, 4117
- Table wines, allowed—  
HB 1662, pages 1946, 2009, 2219, 3630, 3882, 3985, 4095, 4117

COUNTIES 24,500 TO 25,500 POPULATION

- Prisoner feed allowance, provided—  
HB 586, page 307

COUNTIES 24,900 TO 25,150 POPULATION

- All supernumerary offices, abolished—  
SB 1240, pages 3307, 3318
- County Commission, expense allowance, provided—  
HB 1774, pages 2187, 2258, 2519, 3655, 3695, 3856
- County Commissioner, jail, cooks and maids, to hire—  
HB 835, pages 530, 581, 695, 2437, 2542, 2625
- Expense allowance for Inferior Court Judge and County Solicitor, provided—  
HB 310, pages 167, 219, 324, 2437, 2542, 2625

## COUNTIES 24,900 TO 25,150 POPULATION (Continued)

Health care facilities, to establish—

HB 1400, pages 1257, 1311, 1450, 2437, 2543, 2625

Medical facilities, to construct—

SB 945, pages 3018, 3030, 3257, 3540

SB 959, pages 3019, 3030, 3257, 3540

Supernumerary County Commissioners, qualifications prescribed—

HB 972, pages 732, 802, 981, 2437, 2543, 2625

## COUNTIES 26,750 TO 27,250 POPULATION

Circuit Court, fees regulated—

HB 1741, pages 2161, 2463, 2710, 3655, 3695, 3856

## COUNTIES 27,000 TO 27,500 POPULATION

Fines and forfeitures from traffic violations, distributed—

HB 1363, pages 1244, 1304, 1433, 1449, 2439, 2544, 2625

## COUNTIES 27,000 TO 27,900 POPULATION

Board of Equalization, expense allowance, additional provided—

HB 269, pages 149, 220, 329, 2744, 2775, 2851

Court Reporter, expense allowance, provided—

HB 1003, pages 751, 801, 975, 2586, 2621, 2628

Deputy Warrant Clerk, appointed—

HB 1799, pages 2275, 2464, 2714, 3659, 3699, 3857

Judicial Circuits in, Circuit Judge, expense allowance, granted—

HB 1001, pages 751, 801, 974, 2587, 2621, 2627

Judicial Circuits of, stenographic secretaries, expense allowance, provided—

HB 1071, pages 878, 929, 1046, 2793, 2861, 3247

Jury Commission, compensated—

HB 1510, pages 1506, 1649, 1785, 3502, 3678

Sheriff, office expenses, appropriation for, provided—

HB 1742, pages 2161, 2257, 2516, 3887, 3989, 4116

Steel traps, used in hunting foxes and racoons, prohibited—

HB 1553, pages 1757, 1843, 1998, 3592, 3679

## COUNTIES 27,000 TO 30,000 POPULATION

Solicitor's fund, provided—

HB 238, pages 111, 218, 322, 2436, 2542, 2625

## COUNTIES 27,900 TO 33,500 POPULATION

Bailiffs, compensated—

HB 1964, pages 3265, 3702, 3943

County Commission, members of, expense allowance, provided—

HB 462, pages 234, 294, 374, 4262

County Planning Commission, created—

HB 1914, pages 2674, 2867, 3356, 4124, 4145, 4498

## COUNTIES 27,900 TO 35,500 POPULATION (Continued)

County Solicitor or Deputy District Attorney, salary set—  
SB 939, pages 3800, 3801

Jurors, per diem and mileage expense allowance, additional provided—  
HB 90, pages 31, 129, 268, 4124, 4145, 4498

## COUNTIES 33,000 TO 33,575 POPULATION

Fines and forfeitures, from traffic violations, distributed—  
HB 1821, pages 2292, 2464, 2717

## COUNTIES 33,550 TO 34,000 POPULATION

Deputy Circuit Clerk, salary, increased—  
HB 427, pages 202, 221, 333, 2451, 2604, 2627

Distribution of fines, further provided—  
HB 425, pages 201, 220, 333

Pistol Permits, additional fee, provided—  
HB 1522, pages 1674, 1843, 1998, 2051, 3592, 3678

Probate Judge, expense allowance, provided—  
HB 1763, pages 2179, 2257, 2518, 2685, 3655, 3695, 3856

## COUNTIES 34,000 TO 34,800 POPULATION

County Commission, expenses incurred by, paid—  
SB 141, pages 1489, 1492, 1930, 2535, 2687

Election officials, number changed—  
SB 912, page 3052

## COUNTIES 34,100 TO 34,900 POPULATION

Deputy District Attorney, expense allowance, provided—  
HB 1657, pages 1945, 2007, 2210, 3559, 3576, 3685

Fish, taking of, from public streams, regulated—  
HB 1005, pages 752, 1185, 1275, 2454, 2568, 2626

Notices, required to be published in newspapers, provided for—  
HB 248, pages 118, 218, 322, 2450, 2604, 2625

Population span of Act 400, 1951, Regular Session, corrected—  
HB 840, pages 531, 1121, 1228

Superintendent of Education, County School Board, to appoint—  
HB 1282, pages 1139, 1187, 1284

## COUNTIES 34,875 TO 36,000 POPULATION

Alcoholic beverages, serving time, provided—  
HB 1919, page 2878

County funds, appropriated—  
HB 1366, pages 1245, 1468, 1710, 2772, 2806, 2852

## COUNTIES 35,000 TO 38,000 POPULATION

Fish, taking of, regulated—  
HB 1862, pages 2488, 2642, 3090

## COUNTIES 35,000 TO 38,000 POPULATION (Continued)

Public Water System, taxes, exempt—

HB 1561, pages 1761, 1930, 2056, 2199, 3656, 3697, 3857

Wilma M. Atkinson, relief of, provided—

HB 1325, pages 1206, 1243, 1351, 2772, 2806, 2852

## COUNTIES 36,500 TO 39,200 POPULATION

Bicentennial, appropriation for observance of—

HB 1819, pages 2292, 2464, 2716, 3660, 3700, 3857

SB 1150, pages 3270, 3274

Branch banks, authorized—

HB 1585, pages 1851, 1931, 2058, 2449, 2566, 2626

SB 1067, pages 3051, 3052

Criminals, rehabilitation of, provided—

HB 1577, pages 1772, 2006, 2200, 3585, 3679

Election officials, attending official school, compensated—

HB 1820, pages 2292, 2464, 2717, 3660, 3701, 3857

SB 1151, pages 3270, 3274

Officers, expense allowance, provided—

HB 1488, pages 1500, 1843, 1996, 3613, 3791, 4261, 4397, 4480, 4500

Sheriff's Department, employees regulated—

HB 1847, pages 2473, 2878, 3371, 3526, 3714

## COUNTIES 38,100 TO 40,500 POPULATION

County Judges, expense allowance, provided—

HB 1775, pages 2187, 2261, 2532, 3655, 3696, 3856

## COUNTIES 39,500 TO 41,500 POPULATION

Civil Service Merit System, to provide—

HB 1234, pages 1090, 1186, 1280, 2763, 2779, 2852

County Courthouse, renovation of, provided—

HB 969, pages 731, 800, 973, 2440, 2545, 2625

Deputy Sheriffs, attending training school, expenses paid—

HB 275, pages 153, 293, 371, 2452, 2606, 2627

Fines and forfeitures, payment of, provided for—

HB 968, pages 731, 1196, 1286, 2453, 2568, 2626

Rescue squads, funds, appropriated—

HB 276, pages 153, 294, 371, 2452, 2606, 2627

Sheriffs, liability of, limited—

HB 278, pages 154, 294, 372, 2745, 2775, 2851

## COUNTIES 39,500 TO 41,750 POPULATION

County governing body, publication of any quarterly or annual report, rate provided—

HB 277, pages 153, 294, 372, 2452, 2606, 2627

Jurors, compensated—

HB 1926, pages 2882, 3259, 3543, 3995, 4064, 4117

Recreation programs, private school participation—

HB 601, pages 348, 424, 541, 2745, 2776, 2851



## COUNTIES 41,500 TO 45,000 POPULATION

Additional expense allowance for Judge of County Court—  
HB 1945, pages 2890, 3259, 3545, 3715

County Court Judge, expense allowance, provided—  
SB 1255, pages 3632, 3642, 3704, 3919, 4073

## COUNTIES 42,000 TO 49,500 POPULATION

District Attorney, Investigator for, Office of, created—  
HB 110, pages 47, 722, 902, 2452, 2605, 2627

## COUNTIES 46,600 TO 49,050 POPULATION

Board of Education, expense allowance, provided—  
SB 1194, pages 3337, 3343, 3468, 3765, 3929

## COUNTIES 47,000 TO 49,000 POPULATION

Municipal water, sewer, gas or electric corporations, dissolution of,  
provided—  
SB 1233, pages 3312, 3318, 3472, 3781, 3934

## COUNTIES 48,020 TO 49,750 POPULATION

Voters in, reidentification of, provided for—  
HB 1936, pages 2885, 3259, 3543, 4003, 4066, 4117

## COUNTIES 52,000 TO 52,500 POPULATION

Circuit Court Clerk and Register, relieved of certain duties—  
HB 1229, pages 1089, 1304, 1432, 2763, 2779, 2852

## COUNTIES 52,500 TO 54,000 POPULATION

Board of Registrars, meetings, regulated—  
HB 1883, pages 2648, 2865, 3349, 3997, 4065, 4117

## COUNTIES 53,000 TO 55,000 POPULATION

Bail Bondsmen, qualifications, prescribed—  
SB 1192, pages 3335, 3343, 3468, 3764, 3929

Board of Registrars, funds provided for, office of—  
SB 1195, pages 3338, 3344, 3468, 3765, 3930

Circuit Clerks, expense allowance, provided—  
SB 1230, pages 3307, 3318, 3471, 3779, 3934

Circuit Court Register, compensated—  
SB 1214, pages 3333, 3334, 3470, 3773, 3932

Cities 5,550 to 5,700 population, boundary lines, rearranged—  
HB 131, pages 61, 293, 366, 2748, 2765, 2851

County Court Register, compensated—  
SB 1202, pages 3321, 3334, 3469, 3768, 3930

County Court Reporter, compensated—  
SB 1204, pages 3323, 3334, 3469, 3769, 3931

County governing body, expense allowance, provided—  
SB 1206, pages 3325, 3334, 3469, 3770, 3931

County Government Study Commission, created—  
HB 1928, pages 2883, 3260, 3551, 3996, 4064, 4117

## COUNTIES 53,000 TO 55,000 POPULATION (Continued)

- County officers, clerk-hire allowance, provided—  
SB 1189, pages 3342, 3344, 3468, 3767, 3930
- Deputy Sheriffs, salaries, increased—  
SB 1219, pages 3294, 3306, 3470, 3775, 3932
- Foxes, trapping of, prohibited—  
HB 1956, pages 3263, 3463, 3743, 4123, 4144, 4498
- Jailers and Clerks in Sheriff's office, salaries, increased—  
SB 1220, pages 3295, 3306, 3470, 3775, 3932
- Judge of County Court, compensation, increased—  
SB 1201, pages 3320, 3334, 3469, 3768
- Jury Commission and Board of Registrars, expense allowance, provided—  
SB 1197, pages 3340, 3344, 3468, 3766, 3930
- Pistol Permits, fee, fixed—  
SB 1222, pages 3298, 3306, 3470, 3776, 3933
- Prisoner feeding, regulated—  
SB 1218, pages 3293, 3306, 3470, 3774, 3932
- Probate Judge, clerk-hire allowance, provided—  
HB 1340, pages 1214, 1242, 1350, 2453, 2568, 2626
- Probate Judge, expense allowance, provided—  
SB 1209, pages 3328, 3334, 3469, 3771, 3931  
SB 1210, pages 3329, 3334, 3469, 3771, 3931
- Probate Office, clerk-hire allowance, provided—  
SB 1208, pages 3327, 3334, 3469, 3770, 3931
- Rescue squads, funded—  
SB 1228, pages 3304, 3306, 3471, 3779, 3933
- Rescue squads, volunteer, contributions to, validated—  
HB 1339, pages 1214, 1242, 1349, 2448, 2565, 2626
- Salary Commission, new, established—  
HB 1899, pages 2656, 2866, 3353, 3377, 3996, 4064, 4117
- Savings and Loan Associations, branch offices, established—  
SB 1190, pages 3289, 3306, 3467, 3763, 3929
- School Bus Drivers, sick leave, increased—  
SB 1216, pages 3291, 3306, 3470, 3774, 3932
- Superintendent of Education, expense allowance, provided—  
SB 1224, pages 3300, 3306, 3471, 3777, 3933
- Tax Assessor, expense allowance, provided—  
SB 1226, pages 3302, 3306, 3471, 3778, 3933
- Tax Collector, expense allowance, provided—  
SB 1227, pages 3303, 3306, 3471, 3778, 3933
- Voting machines, required—  
SB 1231, pages 3308, 3318, 3471, 3780, 3934

COUNTIES 55,000 TO 56,500 POPULATION

Judge of Intermediate Court, expense allowance provided—  
SB 604, pages 2905, 2914, 3255, 3531, 3719

COUNTIES 55,500 TO 56,000 POPULATION

Election officers, compensation of, regulated—  
HB 1099, pages 938, 1080, 1163, 2454, 2569, 2626

COUNTIES 55,500 TO 56,500 POPULATION

County Commission, election of, provided for—  
HB 1906, pages 2665, 2866, 3355, 3997, 4065, 4117

Hunting, regulated—  
HB 1874, pages 2498, 2642, 3091, 4003, 4066, 4117

Lewis Smith Lake, strip mining near, prohibited—  
HB 1901, pages 2656, 2866, 3353, 4003, 4066, 4117  
SB 947, pages 3274, 3286, 3702, 3915, 4072  
SB 1021, pages 3019, 3030, 3258, 3550, 3721  
SB 1025, pages 3019, 3030, 3703, 3919, 4073

Pistol Permits, fee, fixed—  
SB 603, pages 2905, 2914, 3255, 3530, 3718

Secretaries salaries, fixed—  
SB 1033, pages 3052, 3258, 3540, 3721, 3957, 4135 Ex. Amdt.

Superintendent of Education, expense allowance, provided—  
HB 1304, pages 1152, 1187, 1285, 2591, 2621, 2628

COUNTIES 56,500 TO 59,000 POPULATION

Jury Commission, compensated—  
HB 1421, pages 1314, 1472, 1726, 3587, 3682

COUNTIES 57,000 TO 61,000 POPULATION

Bail bond, business regulated—  
HB 1288, pages 1145, 1187, 1284

Band-Parents and Parent-Teacher Organizations, fund raising projects, sales taxes, exempt—  
HB 1411, pages 1312, 1403, 1700  
HB 1412, page 1312

Circuit Clerk and Register, compensated—  
HB 1969, pages 3266, 3464, 3747, 4124, 4145, 4498

Clerk-hire, for county officers, authorized—  
HB 1695, pages 2030, 2125, 2329, 3590, 3677

County Commissioners, duties to rotate—  
SB 754, pages 2905, 2914, 3465, 3753, 3926

Fire Departments, appropriation, provided—  
HB 1692, pages 2030, 2125, 2328, 3559, 3576

Hunting and fishing licenses, fees, additional prescribed—  
HB 1762, pages 2178, 2468, 2729

Judges of Inferior Court, compensation, changed—  
HB 1693, pages 2030, 2125, 2328, 3590, 3676

## COUNTIES 57,000 TO 61,000 POPULATION (Continued)

Jury Commission, compensated—

HB 1968, pages 3266, 3464, 3747, 4124, 4145, 4498

Pistol Permits, fee, fixed—

HB 1876, pages 2499, 2637, 3086, 3852, 3903, 4115

Probate Judge, expense allowance, provided—

HB 1966, pages 3265, 3464, 3745, 4123, 4144, 4498

Service of process in civil cases by registered mail, provided—

HB 1857, pages 2488, 2636, 3083, 3660, 3686, 3855

Sheriff's Department, uniform allowance, provided—

HB 1696, pages 2031, 2125, 2329, 3591, 3677

Sheriff, expense allowance, provided—

HB 1965, pages 3265, 3464, 3744, 4123, 4144, 4498

Sheriffs, fees, regulated—

HB 1694, pages 2030, 2125, 2329, 3590, 3676

Sheriff's Office, employees, provided for—

HB 1599, pages 1863, 1932, 2062, 2199, 2312, 2506, 3558, 3575, 3684

State Board of Health rules, abating and reinstating of, provided—

HB 1697, pages 2031, 2125, 2330, 2515, 2709, 3075, 3347, 3526, 3713

Tax Assessor and Tax Collector, expense allowance, provided—

HB 1967, pages 3266, 3464, 3746, 4123, 4144, 4498

Witness subpoenas by mail, provided for—

HB 1858, pages 2488, 2637, 3083, 3660, 3701, 3857

## COUNTIES 60,000 TO 65,000 POPULATION

Board of Education, expense allowance, provided—

HB 1823, pages 2298

Coroner, fee, to charge—

HB 1961, page 3264

Court Recorders, empowered to suspend sentences and grant probation—

HB 1530, page 1675

Judicial Circuits in, Court Reporters, fees, fixed—

SB 1165, pages 3271, 3274

Landlords and tenants, terms defined—

HB 1643, pages 1939, 2865, 3348

Largest cities in, probation, granting under certain conditions, provided for—

SB 1035, page 3052

## COUNTIES 65,000 TO 68,000 POPULATION

Assistant District Attorney, salary, supplemental—

HB 1654, pages 1944, 2007, 2207, 3558, 3576, 3685

Circuit Clerk, salary and expense allowance, provided—

HB 1637, pages 1938, 2006, 2203, 3600, 3707, 3857

County Court Judge and Clerk, salaries provided for—

HB 1655, pages 1944, 2007, 2208, 3558, 3576, 3685

## COUNTIES 65,000 TO 68,000 POPULATION (Continued)

- District Attorney, assistance provided—  
HB 837, pages 530, 581, 695, 2824, 2858, 3076, 3103, 3854, 3924, 4116
- District Attorney Clerical Assistant and Court Reporter, salary, provided—  
HB 1639, pages 1938, 2009, 2217, 3602, 3707, 3857
- Jury Commission, compensated—  
HB 1758, pages 2175, 2468, 2732, 3848, 3908, 4116
- Probate Judge, salary, provided—  
HB 1641, pages 1939, 2007, 2206, 3558, 3576, 3685
- Sheriff, expense allowance, provided—  
HB 1640, pages 1939, 2007, 2205, 3558, 3576, 3685  
HB 1958, pages 3263, 3463, 3743, 4123, 4144, 4498
- Tax Assessor and Tax Collector, expense allowance, provided—  
HB 1638, pages 1938, 2007, 2204, 3558, 3576, 3685

## COUNTIES 65,000 TO 75,200 POPULATION

- Prisoner Rehabilitation Program dealing in livestock and agriculture, established—  
HB 1825, pages 2298, 2464, 2717, 3660, 3701, 3857

## COUNTIES 65,500 TO 75,200 POPULATION

- Circuit Court Reporters, compensated—  
HB 1826, pages 2299, 2464, 2718, 3661, 3686, 3855
- Coroner, Deputy, appointed—  
HB 1667, pages 2010, 2463, 2709, 3647, 3694, 3856
- Incorporation of unincorporated communities, provided for—  
SB 1125, pages 3275, 3286
- Referendum on highway maintainance, provided—  
HB 1896, pages 2656, 2878, 3372, 3527, 3938, 3986, 4116

## COUNTIES 75,000 TO 90,000 POPULATION

- Corporations, police officers, to employ—  
SB 926, pages 3018, 3030, 3256, 3536, 3720

## COUNTIES 90,000 TO 100,000 POPULATION

- Board of Education, meetings set—  
SB 465, pages 3030, 3041, 3465, 3750, 3935
- Board of Education, to borrow against malt or brewed beverage revenues—  
HB 1172, pages 1014, 1122, 1229, 2797, 2859, 3246
- Budget and financial affairs, secured—  
SB 1241, pages 3795, 3800, 3864, 4163, 4385
- Cigarettes, tax on, imposed—  
HB 1380, pages 1247, 1472, 1724, 2773, 2806, 2852
- Constable of District Court, compensation, set—  
HB 1954, pages 3262, 3463, 3741, 4123, 4144, 4498
- County Judge, salary, supplemented—  
HB 1796, pages 2272, 2463, 2712, 3656, 3696, 3857

## COUNTIES 90,000 TO 100,000 POPULATION (Continued)

District Court Constable, provided for—

SB 1258, pages 3796, 3800, 3864, 4164, 4385

Fines, distributed—

HB 1583, pages 1850, 1931, 2058

Malt or brewed beverages, tax on, provided—

HB 1379, pages 1247, 1472, 1724, 2772, 2806, 2852

HB 1957, page 3263

SB 1237, page 3642

School Board, city or county, temporary loans, to make—

HB 130, pages 60, 1121, 1227, 1272

## COUNTIES 95,000 TO 115,000 POPULATION

Alcoholic beverages, sale of and tax on, regulated—

HB 1735, pages 2160, 2260, 2528, 3594, 3689, 3856

SB 1134, pages 3269, 3273, 3703, 3918, 4073

Bi-centennial, expenditures, county to make, for—

HB 1756, pages 2174, 2261, 2532

SB 1152, pages 3271, 3274, 3704, 3919, 4073

Draft beer, legalized—

HB 1835, pages 2470, 2641, 3087, 3853, 3904, 4115

SB 1173, pages 3288, 3306, 3704, 3920, 4073

Hospitals, bonds, etc., issued by, usury laws, exempt—

HB 1065, pages 877, 1242, 1348, 1355

## COUNTIES 110,000 TO 150,000 POPULATION

Civil Service Board, salaries, provided—

HB 1837, pages 2470, 2641, 3087, 3849, 3909, 4116

Court Reporters, compensated—

HB 1726, pages 2044, 2468, 2728

Public Defender Office, established—

SB 907, pages 3052, 3053, 3466, 3755, 3926

## COUNTIES 110,000 TO 160,000 POPULATION

Judicial Circuits composed of, Circuit Judges, help provided—

HB 1651, pages 1943, 2124, 2327

SB 1096, pages 3274, 3286

## COUNTIES 115,000 TO 150,000 POPULATION

Bonds, means of giving, prescribed—

SB 567, pages 2905, 2914, 3465, 3750, 3901, 3936

Commercial fisherman, helper, provided—

HB 654, pages 361, 580, 690, 2448, 2565, 2626

Deputy Circuit Clerk, Deputy Tax Assessor, Deputy Tax Collector,  
and Deputy License Commissioner, salaries, provided—

HB 756, pages 445, 502, 633, 2746, 2776, 2851

Deputy Commissioner of Licenses, appointed—

HB 755, pages 445, 502, 632, 2745, 2776, 2851

## COUNTIES 115,000 TO 150,000 POPULATION (Continued):

Extra allowance for Sheriff, Deputies, Firemen, and Policemen, provided—

HB 408, pages 197, 220, 330, 332

Poll workers, compensation raised—

HB 1318, pages 1203, 2124, 2326, 4004, 4067, 4117

Sheriff, expense allowance, provided—

HB 1382, pages 1247, 2124, 2326, 3644, 3699, 3857

## COUNTIES 125,000 TO 175,000 POPULATION

Sheriff, expense allowance, provided—

HB 823, pages 525, 801, 977, 2444, 2567, 2626

## COUNTIES 150,000 TO 180,000 POPULATION

Alcoholic beverages, hours to be sold, regulated—

HB 1506, pages 1506, 2007, 2221, 3997, 4063, 4117

Board of Registrars, member of, to visit legislative districts—

HB 265, pages 148, 801, 975, 2444, 2567, 2626

Employees of, disabled or killed, payment of benefits, provided—

HB 824, pages 525, 801, 978, 3593, 3691, 3856

Fines and forfeitures, distributed—

HB 1672, pages 2012, 2116, 2513

Joint city-county transportation pool, established—

SB 155, pages 3274, 3286

Probate Judge, expense allowance, provided—

HB 1632, pages 1884, 2259, 2521, 3558, 3575, 3685

Supernumerary Judges, salaries, fixed—

SB 562, pages 2252, 2258, 2520, 2688

Voting machines, prohibited from paying for setting up, of—

HB 1948, page 2892

## COUNTIES 170,000 TO 300,000 POPULATION

Emergency Aid Services, provided—

HB 1200, pages 1028, 1470, 1719, 3643, 3698, 3857

First Aid or Emergency Care, persons rendering in good faith, liability exempt—

HB 1201, pages 1028, 1470, 1718, 3644, 3698, 3857

## COUNTIES 175,000 TO 300,000 POPULATION

Contraband, taking of, conditions prescribed—

HB 1871, page 2498

County Flag, to adopt—

HB 1872, page 2498

Guns, seized, allowed to sell—

HB 1870, page 2497

**COUNTIES 300,000 OR LESS POPULATION**

Land transfer instruments recorded in probate offices, self-indexing system, provided—  
HB 153, page 69

**COUNTIES 300,000 OR MORE POPULATION**

Probate Judges, supernumerary-retired, provided—  
HB 571, pages 304, 500, 639, 644, 4406, 4471, 4500

**COUNTIES 300,000 TO 500,000 POPULATION**

Board of Health, services rendered by, charges for—  
HB 1163, page 1011  
HB 1164, pages 1012, 1308, 1447, 3643, 3697, 3857  
HB 1165, page 1012

Circuit Court Clerk, expense allowance, provided—  
HB 380, pages 192, 500, 629

Circuit Court Clerk, salary—  
HB 378, pages 191, 500, 628, 3658, 3688, 3856

Circuit Court Register, salary and allowance, fixed—  
HB 1161, pages 1011, 1307, 1446, 3964, 4063, 4116

Election officers, compensated—  
HB 1121, pages 944, 1307, 1446, 3615, 3691, 3856

Employees, bargaining agent, provided—  
HB 785, pages 457, 501, 633, 636, 689

Increase in funds from the general fund, provided—  
HB 1162, pages 1011, 1308, 1447, 3643, 3697, 3857

Public law librarians, retired, monthly pensions, authorized—  
HB 229, pages 107, 498, 623, 3661, 3687, 3855  
SB 201, pages 2965, 2966

Sheriff, Administrative Assistant to, appointed—  
HB 364, pages 189, 499, 625, 3662, 3687, 3855  
HB 573, page 305

Sheriff's Department, relating to—  
HB 570, pages 304, 500, 629, 3886, 3989, 4116

Sheriffs, fees and allowances in criminal cases of, regulated—  
HB 360, pages 188, 499, 624, 3661, 3687, 3855

Sheriffs, fees regulated—  
HB 365, pages 189, 499, 626, 3658, 3688, 3855

Sheriffs, prisoner feed allowance, provided—  
HB 363, pages 189, 499, 624, 3589, 3683

Sheriffs, secretary, to appoint—  
HB 566, page 304

Sheriffs, uniforms, allowances for purchasing—  
HB 355, pages 186, 499, 623, 3589, 3683

Sheriffs, Youth Aid Division, Chief of, to appoint—  
HB 356, pages 186, 1307, 1444, 1450, 4122, 4143, 4498

State Health Laws, enforcement of, provided—  
HB 854, page 536



## COUNTIES 300,000 TO 600,000 POPULATION

Alabama Dairy Commission, milk, minimum price for, unlawful to establish—

HB 1832, pages 2301, 2467, 2723

Board of Registrars, voters, to reidentify and register—

HB 589, pages 308, 500, 631, 3597, 3691, 3856

County Engineer, qualifications, provided—

SB 1174, pages 3288, 3306, 3865, 4166, 4385

County Racing Commission, created—

SB 478, pages 2966, 3864, 4166, 4202, 4383

Emergency rescue vehicles, license tags, free, issued—

HB 1670, pages 2011, 2467, 2725, 3659, 3688, 3856

Employees, salary increases, provided—

HB 1856, page 2487

Fines and forfeitures, distributed—

HB 1622, page 1874

Fines, payment to General Fund—

HB 374, page 190

Lease tax, exempt—

HB 1897, pages 2656, 2868, 3359

Motor vehicles, on beaches or sand dunes, operation of, prohibited—

SB 480, pages 2966, 3865, 4166, 4383

Municipalities 1,000 or less population, Planning Commission, to operate within one-half mile radius—

HB 1789, pages 2195, 2466, 2723

Nollie Thompson, relief of, provided—

HB 1235, pages 1090, 1307, 1443, 2772, 2805, 2852

Probate Judges, supernumerary-retired, provided for—

SB 1179, pages 3632, 3642, 3865, 4165, 4385

Property held by, not to be deemed abandoned—

HB 568, pages 304, 1191, 1695

Supernumerary-Retired Probate Judges, provided for—

HB 1895, pages 2655, 2868, 3358

Traffic Violation Court cost, increased—

HB 1502, page 1505

## COUNTIES 500,000 OR MORE POPULATION

Appropriation, act 639

HB 637, pages 356, 932, 1043, 1404, 1704, 2582, 2621, 2628

Associate Registrar, defined—

SB 1136, pages 3050, 3051, 3705, 3923, 3939, 3998, 4132

Election officials, compensated—

HB 1397, pages 1257, 1755, 1894, 2446, 2549, 2627

Motor vehicles, county owned, to be painted for easy identification—

HB 1010, pages 803, 1306, 1438, 2446, 2548, 2625

## COUNTIES 500,000 OR MORE POPULATION (Continued)

Rehabilitation of prisoners, provided—

HB 746, pages 443, 682, 1187, 1288, 2445, 2548, 2625

Zoning ordinance, no variance, to be provided—

SB 1157, pages 3050, 3051, 3706, 3941, 4132

## COUNTIES 600,000 OR LESS POPULATION

Supernumerary Clerks and Registers of Circuit Courts, provided for—

HB 672, pages 383, 1479, 2537, 2685, 3069, 3199

## COUNTIES 600,000 OR MORE POPULATION

Advertising business, tax on—

HB 1786, page 2194

HB 1900, page 2656

Auxiliary courtrooms, established—

HB 1322, pages 1204, 2008, 2213, 3594, 3690, 3856

Board of Education, compensated—

HB 1635, page 1937

SB 1068, pages 3041, 3049, 3704, 3921, 4075

Board of Equalization and Adjustments, elected—

HB 1575, pages 1772, 3462, 3784

Certain facilities, functions, and services, provided—

HB 1430, pages 1320, 2123, 2326, 2708, 2755, 3074, 3346, 3525, 3711

Chief Deputy Sheriff, Office of, created—

HB 853, pages 536, 1307, 1442, 2739, 2760, 2850

Cigarettes, tax, levied on—

HB 1962, pages 3264, 3459, 3715, 3716, 3724, 4122, 4143, 4498

SB 1257, pages 3800, 3801

Circuit Clerks, salary fixed—

HB 1453, pages 1407, 2008, 2215, 2747, 2764, 2850

City school districts, defined—

HB 1192, pages 1025, 1405, 1705, 2446, 2549, 2626

Confiscated guns, to sell or use—

HB 1403, pages 1264, 1755, 1894, 1995

Constables, elected—

HB 1746, page 2163

Contraband, provided for—

HB 1321, pages 1204, 2008, 2212, 3594, 3689, 3856

SB 905, pages 2992, 3004, 3704, 3920, 4074

County Attorney, private practice, prohibited from having—

HB 1395, page 1257

County Pardon and Parole Board, county governing body, to appoint—

HB 533, pages 297, 2121, 3843

District Attorney's, first, second, third and fourth, provided for—

HB 845, pages 532, 752, 1217, 1404, 1703, 2445, 2548, 2625

## COUNTIES 600,000 OR MORE POPULATION (Continued)

Employees of public corporations, pensions system, to be members—  
SB 778, pages 3005, 3009

Fish, from public streams and impounded waters, further regulated—  
HB 60, pages 22, 581, 698, 3848, 3908, 4116

Gasoline, additional tax on, levied—  
HB 1303, page 1151  
HB 1490, pages 1502, 2465, 2720, 2732  
HB 1500, pages 1504, 2466, 3076, 3093

Hospital Employee's Pension System, to be member of—  
HB 1009, pages 803, 1306, 1438, 2445, 2548, 2625

Industrial Development, corporations to promote, authorized—  
HB 1305, page 1152  
SB 855, pages 3049, 3051

Jury selection, provided—  
SB 343, pages 3005, 3009, 3706, 3943, 4129, 4136, 4450

Mentally ill, committal to hospitals, provided—  
HB 944, pages 676, 1187, 1286, 2441, 2595, 2627

Mentally ill, temporary detention of, provided for—  
SB 740, pages 3005, 3009

Minimum standards code, adopted—  
SB 1252, pages 3631, 3642, 3706, 3942, 4133

Public School Board members, residency of—  
HB 324, pages 175, 582, 701, 3598, 3708, 3857

Public Water Systems, extension and construction of, provided—  
HB 6, pages 8, 424, 544, 546, 2447, 2550, 2626

School pupils, public transportation, provided—  
HB 1739, pages 2160, 3462, 3739, 4122, 4143, 4498

Sheriff, expense allowance, provided—  
HB 1888, pages 2652, 2865

Sugar, lawful dispensing of, in other than single service packages, allowed—  
HB 1660, pages 1946, 2466, 2722, 3594, 3690, 3856

Supernumerary officials, provided for—  
HB 1160, pages 1011, 1309, 2537, 2685, 3069, 3191, 3201, 3203

Supernumerary-Retired Probate Judges, created and provided for—  
HB 389, pages 193, 1194

Transit Systems, subsidized by, for municipalities—  
HB 1470, page 1424

## C. W. HAYES HIGH SCHOOL GIRLS TRACK TEAM

Commended—  
HR 122, pages 780, 895

## COUNTS, MRS. HENRIETTA

Commended—

HJR 204, pages 1343, 1407, 1757, 1788, 1838

## COUNTY ADMINISTRATOR

Mobile county, contraband, to dispose of—

HB 1312, page 1200

## COUNTY ATTORNEY

Counties 600,000 or more population, private law practice, prohibited from practicing—

HB 1395, page 1257

## COUNTY BOARD OF EQUALIZATION AND ADJUSTMENT

Morgan county, provided for—

HB 1329, pages 1208, 1304, 1432, 2439, 2544, 2625

## COUNTY COMMISSION

Baldwin county, created—

SB 1042, pages 2899, 2904, 3466, 3757, 3927

Bibb county, granted certain powers—

HB 806, pages 513, 580, 692

Bibb county, merit system, to establish—

HB 810, pages 517, 581, 693, 3847, 3907, 4115

Chambers county, assistant county engineer, to appoint—

HB 707, pages 394, 424, 542

Chambers county, Wilma M. Atkinson, to provide relief of—

HB 709, pages 397, 424, 543, 2745, 2776, 2851

Clarke county, expense allowance, provided—

HB 1012, pages 804, 929, 1044, 2751, 2767, 2851

Clarke county, meetings of, provided for—

HB 1384, pages 1251, 1305, 1434, 2773, 2807, 2852

Counties, financial report of, to be made by—

HB 284, pages 157, 343, 1370

Cullman county, abolished and new commission created—

SB 1242, pages 3635, 3643

DeKalb county, expense allowance, provided—

HB 1479, pages 1426, 1649, 1785, 3611, 3708, 3857

Engineer trainee, to appoint—

HB 283, pages 157, 1473, 2196, 2256, 2537, 2685, 3068, 3112

Escambia county, expense allowance, provided—

HB 1852, pages 2486, 2641, 3090, 3852, 3903, 4115

Geneva county, forest fires, to protect against—

HB 1127, pages 947, 1003, 1103, 2455, 2569, 2627

Lauderdale county, budgetary limits, to establish—

HB 1054, pages 865, 934, 1062

Lauderdale county, expense allowance, provided—

HB 1051, pages 862, 933, 1061, 2449, 2566, 2626

## COUNTY COMMISSION (Continued)

Lauderdale county, parking facilities, to provide—  
HB 1055, pages 866, 934, 1063, 2751, 2767, 2851

Lee county, additional taxes, power to levy—  
HB 112, page 48

Lots, minimum size, to regulate—  
HB 560, pages 303, 721

Madison county, chairman, compensation, changed—  
HB 1030, pages 817, 931, 1051, 2449, 2566, 2626

Madison county, compensation changed—  
HB 1037, pages 829, 931, 1053, 2751, 2767, 2851

National and State Association of County Commissions, to join and participate in—  
HB 287, pages 157, 1070, 1195  
SB 161, pages 2142, 2143, 2871, 3860, 4446, 4469

Russell county, certain expenses of district attorney and sheriff, to pay—  
HB 1118, pages 942, 1185, 1277, 2762, 2778, 2851

Russell county, expense allowance, provided—  
HB 1115, pages 941, 1185, 1276, 2453, 2606, 2627

Sumter county, state trooper arrest, fines from, to retain one-half of—  
HB 118, pages 55, 1311, 2067

Washington county, election of, provided—  
SB 1071, pages 3792, 3795, 3864, 4162, 4384

Counties 10,660 or less population, expense allowance, provided—  
HB 1535, pages 1676, 2009, 2216, 3645, 3693, 3856

Counties 11,500 to 12,500 population, additional expense allowance, provided—  
HB 1949, pages 2892, 3259, 3545, 4124, 4145, 4498

Counties 16,000 to 16,250 population, school's for exceptional children, to appropriate money for—  
HB 1096, pages 937, 1003, 1102

Counties 16,245 to 16,300 population, expense allowance, provided—  
HB 894, pages 604, 721, 896, 2443, 2597, 2627

Counties 17,000 to 20,000 population, election provided for—  
HB 1934, page 2885

Counties 21,000 to 22,000 population, expense allowance provided—  
HB 1938, pages 2886, 3259, 3544, 3996, 4064, 4117

Counties 22,250 to 23,000 population, claims to, need not be sworn to—  
HB 1688, pages 2028, 2641, 3086, 3849, 3909, 4116

Counties 24,900 to 25,150 population, expense allowance, provided—  
HB 1774, pages 2187, 2258, 2519, 3655, 3695, 3856

Counties 27,900 to 33,500 population, members of, expense allowance, provided—  
HB 462, pages 234, 294, 374, 4262

## COUNTY COMMISSION (Continued)

Counties 34,000 to 34,800 population, expenses incurred by, paid—  
SB 141, pages 1489, 1492, 1930, 2535, 2687

Counties 39,500 to 41,500 population, money, to borrow—  
HB 969, pages 731, 800, 973, 2440, 2545, 2625

Counties 55,500 to 56,500 population, election of, provided for—  
HB 1906, pages 2665, 2866, 3355, 3997, 4065, 4117

Counties 90,000 to 100,000 population, malt or brewed beverages,  
tax on, to impose—  
HB 1379, pages 1247, 1472, 1724, 2772, 2806, 2852

## COUNTY COMMISSIONERS

Counties 24,900 to 25,150 population, jail, cooks and maids for, to  
hire—  
HB 835, pages 530, 581, 695, 2437, 2542, 2625

Counties 24,900 to 25,150 population, supernumerary, qualifications,  
prescribed—  
HB 972, pages 732, 802, 981, 2437, 2543, 2625

## COUNTY COURT

Lawrence county, witness certificates, county general fund, paid  
out of—  
HB 72, pages 24, 219, 326, 2747, 2764, 2850

Misdemeanor cases, appealed in, minute entries of, circuit court,  
provided—  
HB 142, pages 67, 216, 493, 771

Sumter county, abolished—  
HB 487, pages 240, 293, 369, 2438, 2544, 2625

## COUNTY COURTHOUSES

Counties 39,500 to 41,500 population, renovation of, provided—  
HB 969, pages 731, 800, 973, 2440, 2545, 2625

## COUNTY COURT JUDGE

Cherokee county, expense allowance, provided—  
HB 1437, pages 1323, 1404, 1701, 3996, 4065, 4117

Marshall county, compensation, fixed—  
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Counties 600,000 or more population, prisoner violating release conditions, returned to—  
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- Limestone County, officers of, provided—  
HB 280, pages 155, 294, 373, 2437, 2542, 2625
- Lowndes County, County Solicitor, provided—  
HB 1556, pages 1759, 1843, 1999, 3592, 3679
- Marengo County, Judge of Probate, provided—  
HB 301, pages 164, 220, 329, 1657, 1661, 1838
- Marshall County governing body, provided—  
SB 1207, pages 3326, 3334, 3469, 3770, 3931
- Marshall County, Probate Judge, provided—  
SB 1211, pages 3330, 3334, 3469, 3772, 3931
- Marshall County, Superintendent of Education, provided—  
SB 1225, pages 3301, 3306, 3471, 3777, 3933
- Ninth Judicial Circuit, Court Reporters, provided—  
HB 1836, pages 2470, 2641, 3087, 3347, 4004, 4067, 4117, 4390 Ex. Amdt.
- Russell County Commission, provided—  
HB 1115, pages 941, 1185, 1276, 2453, 2606, 2627
- Russell County, Coroner, provided—  
HB 1119, pages 943, 1185, 1278, 2762, 2779, 2852
- State Board of Education, increased—  
HB 868, pages 592, 1195
- Sumter County, Judge of Court of Record, provided—  
HB 487, pages 240, 293, 369, 2438, 2544, 2625
- Sumter County, Sheriff, provided—  
HB 693, pages 390, 429, 550, 2438, 2544, 2625
- Tuscaloosa County, officials—  
HB 231, pages 107, 380, 464, 2449, 2565, 2626  
HB 241, pages 112, 380, 465, 2449, 2565, 2626

## EXPENSE ALLOWANCES (Continued)

- Twentieth Judicial Circuit, Circuit Judges, allowed—  
SB 410, pages 3012, 3017, 3702, 3880, 3912, 4074
- Twenty-eighth Judicial Circuit, Court Reporters, provided—  
HB 1943, page 2890
- Washington County School Board, provided—  
HB 1656, pages 1944, 2007, 2209, 3559, 3576, 3685
- Counties 10,660, or less population, Circuit Clerk and Register, provided—  
HB 1534, pages 1676, 2009, 2214, 3072, 3106, 3247
- Counties 10,660 or less population, County Commission, provided—  
HB 1535, pages 1676, 2009, 2216, 3645, 3693, 3856
- Counties 10,660 to 10,900 population, Sheriff, provided—  
HB 295, pages 161, 344, 407, 2451, 2605, 2627
- Counties 11,500 to 12,500 population, County Commission, provided—  
HB 1949, pages 2892, 3259, 3545, 4124, 4145, 4498
- Counties 11,500 to 12,500 population, Tax Assessor, provided—  
HB 1603, pages 1864, 1932, 2079
- Counties 16,245 to 16,300 population, County Commission, provided—  
HB 894, pages 604, 721, 896, 2443, 2597, 2627
- Counties 23,900 to 24,450 population, Circuit Court Reporter, provided—  
SB 1161, pages 3271, 3274, 3467, 3760, 3928
- Counties 23,900 to 24,450 population, education officials, provided—  
SB 1176, pages 3288, 3306, 3467, 3762, 3928
- Counties 23,900 to 24,450 population, Sheriff, provided—  
SB 1184, pages 3307, 3318, 3467, 3762, 3929
- Counties 24,500 to 25,000 population, Sheriff, provided—  
HB 1950, pages 2892, 3259, 3546, 3981, 4063, 4117
- Counties 24,900 to 25,150 population, County Commission, provided—  
HB 1774, pages 2187, 2258, 2519, 3655, 3695, 3856
- Counties 27,000 to 27,900 population, additional, Board of Equalization, provided—  
HB 269, pages 149, 220, 329, 2744, 2775, 2851
- Counties 27,000 to 27,900 population, Circuit Judge, provided—  
HB 1001, pages 751, 801, 974, 2587, 2621, 2627
- Counties 27,000 to 27,900 population, Court Reporter, provided—  
HB 1003, pages 751, 801, 975, 2586, 2621, 2628
- Counties 27,900 to 33,500 population, County Commission, provided—  
HB 462, pages 234, 294, 374, 4262
- Counties 27,900 to 33,500 population, per diem and mileage, jurors, additional provided—  
HB 90, pages 31, 129, 268, 4124, 4145, 4498
- Counties 33,550 to 34,000 population, Probate Judge, provided—  
HB 1763, pages 2179, 2257, 2518, 2685, 3655, 3695, 3856

## EXPENSE ALLOWANCES (Continued)

- Counties 34,100 to 34,900 population, Deputy District Attorney, provided—  
HB 1657, pages 1945, 2007, 2210, 3559, 3576, 3685
- Counties 36,500 to 39,200 population, officers, provided—  
HB 1488, pages 1500, 1843, 1996, 3613, 3791, 4261, 4397, 4480, 4500
- Counties 38,100 to 40,500 population, county judges, provided—  
HB 1775, pages 2187, 2261, 2532, 3655, 3696, 3856
- Counties 41,500 to 45,000 population, County Court Judge, provided—  
SB 1255, pages 3632, 3642, 3704, 3919, 4073
- Counties 41,500 to 45,000 population, Judges of County Court—  
HB 1945, pages 2890, 3259, 3545, 3715
- Counties 53,000 to 55,000 population, Circuit Clerks, provided—  
SB 1230, pages 3307, 3318, 3471, 3779, 3934
- Counties 53,000 to 55,000 population, governing body, provided—  
SB 1206, pages 3325, 3334, 3469, 3770, 3931
- Counties 53,000 to 55,000 population, Probate Judge, provided—  
SB 1209, pages 3328, 3334, 3469, 3771, 3931  
SB 1210, pages 3329, 3334, 3469, 3771, 3931
- Counties 53,000 to 55,000 population, Superintendent of Education, provided—  
SB 1224, pages 3300, 3306, 3471, 3777, 3933
- Counties 53,000 to 55,000 population, Tax Assessor, provided—  
SB 1226, pages 3302, 3306, 3471, 3778, 3933
- Counties 53,000 to 55,000 population, Tax Collector, provided—  
SB 1227, pages 3303, 3306, 3471, 3778, 3933
- Counties 55,500 to 56,500 population, Judge of Intermediate Court, provided—  
SB 604, pages 2905, 2914, 3255, 3531, 3719
- Counties 55,500 to 56,500 population, Superintendent of Education, provided—  
HB 1304, pages 1152, 1187, 1285, 2591, 2621, 2628
- Counties 57,000 to 61,000 population, Probate Judge, provided—  
HB 1966, pages 3265, 3464, 3745, 4123, 4144, 4498
- Counties 57,000 to 61,000 population, Sheriff, provided—  
HB 1965, pages 3265, 3464, 3744, 4123, 4144, 4498
- Counties 57,000 to 61,000 population, Tax Assessor and Tax Collector, provided—  
HB 1967, pages 3266, 3464, 3746, 4123, 4144, 4498
- Counties 60,000 to 65,000 population, Board of Education, provided—  
HB 1823, page 2298
- Counties 65,000 to 68,000 population, Circuit Clerk, provided—  
HB 1637, pages 1938, 2006, 2203, 3600, 3707, 3857
- Counties 65,000 to 68,000 population, County Court Judge, provided—  
HB 1655, pages 1944, 2007, 2208, 3558, 3576, 3685

**EXPENSE ALLOWANCES (Continued)**

Counties 65,000 to 68,000 population, Sheriff, regulated—  
HB 1958, pages 3263, 3463, 3743, 4123, 4144, 4498

Counties 65,000 to 68,000 population, Sheriff, provided—  
HB 1640, pages 1939, 2007, 2205, 3558, 3576, 3685

Counties 65,000 to 68,000 population, Tax Assessor and Tax Collector,  
provided—  
HB 1638, pages 1938, 2007, 2204, 3558, 3576, 3685

Counties 115,000 to 150,000 population, Sheriff, provided—  
HB 1382, pages 1247, 2124, 2326, 3644, 3699, 3857

Counties 125,000 to 175,000 population, Sheriff, provided—  
HB 823, pages 525, 801, 977, 2444, 2567, 2626

Counties 150,000 to 180,000 population, Probate Judge, provided—  
HB 1632, pages 1884, 2259, 2521, 3558, 3575, 3685

Counties 600,000 or more population, Sheriff, provided—  
HB 1888, pages 2652, 2865

**EXTRADITION**

Mentally ill persons, from another jurisdiction—  
HB 536, pages 298, 423, 1915

Witnesses procedure for securing the attendance of—  
HB 906, pages 610, 929

**FAIRHOPE SINGLE TAX CORPORATION**

Joint interim committee to study, created—  
SJR 128, pages 2777, 3067, 3127, 4495, 4497

**FAIR TRADE REGULATIONS**

Repealed—  
HB 1504, pages 1505, 1928

**FALKVILLE**

Town of, boundaries altered—  
HB 1818, pages 2291, 2464, 2716, 3660, 3700, 3857

**FALSE ALARMS**

Persons willfully creating, misdemeanor charge—  
HB 447, pages 231, 428

**FALSE IMPERSONATION**

Law enforcement officer, of, prohibited—  
HB 467, pages 235, 657, 2049, 2196, 2255, 2537, 2602

**FALSE NAME OR ADDRESS**

Unlawful to give—  
HB 1108, page 939

**FAMILY PLANNING SERVICES**

State Health Department, appropriation made to—  
HB 4, page 8  
HB 202, page 102

**FARM BUREAU INSURANCE COMPANY**

Randolph county, relief of, provided—

HB 1302, pages 1150, 1187, 1285, 1348, 2836, 2858, 3246

**FARMERS**

Sod, sales tax, exempt—

SB 992, pages 2844, 2845, 3868, 4128, 4191

Superior seeds, to certify and use—

HB 546, pages 300, 341, 1367

Trucks, state weight regulations, exempt from—

HB 775, pages 452, 800, 1175

**FARM MACHINERY**

Tax exemptions on, repealed—

HB 567, page 304

**FARM PRODUCTS**

Buying, selling or movement of, after sunset and before sunrise, allowed—

SB 190, pages 1687, 1688, 1925, 3663, 3723

Certain transactions after sunset and before sunrise, prohibited—

HB 417, pages 199, 341, 1365

Tax exemptions on, repealed—

HB 567, page 304

**FAULK, JOHN HENRY**

Commended—

HJR 404, pages 3713, 4002, 4069, 4117

SJR 145, pages 3790, 3936

**FAUNA**

Of state, natural resources, designated as—

HB 146, page 67

**FAYETTE COUNTY**

Belk, town of, boundaries altered—

HB 1546, pages 1681, 1754, 1892, 3592, 3679

District court, created—

HB 1631, pages 1880, 1933, 2067, 2312, 3558, 3575, 3685

Superintendent of Education, compensated—

HB 702, pages 392, 424, 542, 1651, 1659, 1838

**FEDERAL AID HIGHWAY PROJECTS**

Appropriated further—

HB 95, page 41

**FEDERAL COMMUNICATIONS COMMISSION**

Citizen's band radio licenses issued by—

HB 64, pages 23, 425, 2049, 2085, 3854, 3904, 4115

**FEDERAL COMPREHENSIVE DRUG ABUSE PREVENTION AND CONTROL ACT OF 1970**

Alabama to conform in—

HB 539, pages 298, 2873

HB 541, pages 299, 2874

HB 542, pages 299, 2874

HB 543, pages 299, 2874

HB 544, pages 299, 2874

Laws in state, to conform with—

HB 1098, pages 937, 2460, 3382, 3565

**FIELD, RALPH D.**

Commended—

HR 290, pages 2145, 2598

**FELONIES**

Defendent, indictment served in presence of attorney—

HB 846, pages 535, 1189, 3406

Firearms used in, provided for—

HB 896, page 604

Indeterminate sentencing in cases—

HB 1143, page 965

Multiple commissions, penalties increased—

HB 1448, pages 1340, 2456

Payment of fines, provided—

HB 404, page 196

Sentences of five years or more, reviewed—

HB 1345, pages 1215, 1460, 2686, 3070, 3383, 3831

**FELONY CASES**

Defendent in, indictment served in presence of attorney—

HB 846, pages 535, 1189, 3406

**FERRIES**

Washington county, county engineer to construct, maintain and repair—

HB 170, pages 87, 802, 978, 3588, 3683

**FERTILIZER**

Tax exemptions on, repealed—

HB 567, page 304

**FIDUCIARIES**

Holding securities, authorized to deposit—

HB 1307, pages 1199, 1751, 3383

Holding securities, to hold in bulk—

HB 1310, pages 1200, 1751

Holding treasury securities, federal reserve bank, to deposit in—

HB 1309, pages 1200, 1751

**FIDUCIARY FUNDS**

Russell county, monies in over ten years, removed—  
HB 104, pages 42, 130, 269, 2747, 2765, 2851

**FIELDCREST DRIVE**

Montgomery, city of, construction of, regulated—  
SB 1114, pages 3285, 3286, 3707, 3942, 4132

**FIELD TRIALS**

Permit required—  
HB 478, pages 236, 584

**FIFTEENTH JUDICIAL CIRCUIT**

Additional judges provided—  
HB 1139, pages 936, 1478, 1726, 2734, 2750, 2850

Circuit judges, help provided—  
SB 894, pages 3018, 3030

Court reporters, salary, provided—  
HB 1671, pages 2011, 2258, 2520, 3647, 3694, 3856

District Attorney, office of, adequate help, provided—  
HB 603, pages 348, 1309, 1449, 1696, 3851, 3905, 4115

Secretaries, hiring of, provided—  
HB 1147, pages 966, 1405, 1709, 3586, 3679

**FIFTEEN YEAR OLDS**

Instruction permit, cost of, increased—  
HB 674, pages 383, 583

**FIFTH JUDICIAL CIRCUIT**

Chief Deputy District Attorney, appointed—  
HB 429, page 202

District Attorney, expense allowance, provided—  
HB 1527, page 1674

District Attorney, special assistant, appointed—  
HB 1525, page 1674

Investigative assistants, powers and duties, provided—  
HB 1523, page 1674

Investigator, provided—  
HB 424, pages 201, 343, 1727, 3589, 3683

Jurors, excusing of, provided—  
HB 1524, page 1674

Jury attendance notice, provided for—  
HB 1526, page 1674

Stenographic secretary, compensation of—  
HB 423, pages 201, 343, 1374, 2773, 2807, 2852

**FINANCE AND TAXATION**

Continuing interim committee on, created—  
SJR 130, pages 3159, 3707, 3936, 4495, 4497

Interim committee on, created—  
HJR 365, pages 3059, 3379, 3388, 3454

**FINANCE DIRECTOR**

Forestry Commission Building Authority, member of—  
HB 1733, page 2159

**FINE AND FORFEITURE FUND**

Lawrence county, abolished—  
HB 72, pages 24, 219, 326, 2747, 2764, 2850

**FINES**

Clay county, one half from state trooper arrests, retained—  
HB 326, pages 176, 219, 325

For felonies, provided—  
HB 404, page 196

Payment to general fund—  
HB 374, page 190

Counties 33,550 to 34,000 distribution, further provided—  
HB 425, pages 201, 220, 333

**FINES AND FORFEITURES**

Autauga county, provided for—  
HB 1174, pages 1014, 1186, 1279

Bibb county, traffic violations, distributed—  
HB 807, pages 514, 580, 692

Lawrence county, from traffic violations, provided further for—  
HB 73, page 26

Madison county, from traffic violations, provided further for—  
HB 158, pages 70, 2630, 3078

Randolph county, distribution of, provided—  
HB 256, pages 142, 219, 323

Rules of the road cases, from, to go to counties—  
HB 285, pages 157, 3202

Tuscaloosa county, distributed—  
HB 1593, pages 1859, 1932, 2062

Counties 13,000 to 13,250 population, distributed—  
HB 1461, pages 1418, 1469, 1715

Counties 22,000 to 22,500 population, traffic violations, distributed—  
HB 1376, pages 1246, 1304, 1433, 2577, 2620, 2627

Counties 27,000 to 27,500 population, from traffic violations, distributed—  
HB 1363, pages 1244, 1304, 1433, 1449, 2439, 2544, 2625

Counties 33,000 to 33,575 population, from traffic violations, distributed—  
HB 1821, pages 2292, 2464, 2717



**FINES AND FORFEITURES (Continued)**

Counties 39,500 to 41,500 population, payment of, provided for—  
HB 968, pages 731, 1196, 1286, 2453, 2568, 2626

Counties 90,000 to 100,000 population, distributed—  
HB 1583, pages 1850, 1931, 2058

Counties 150,000 to 180,000 population, distributed—  
HB 1672, pages 2012, 2116, 2513

Counties 300,000 to 600,000 population, distributed—  
HB 1622, page 1874

**FIRE ALARMS**

False, person willfully creating, misdemeanor charge—  
HB 447, pages 231, 428

**FIRE ANTS**

Appropriation for control of, provided—  
HB 1529, pages 1675, 1921, 2196, 2256, 2538, 2684, 2737

**FIREARMS**

Involved in felonies, provided for—  
HB 896, page 604

Person committing crime with additional sentence, provided—  
HB 867, page 592

**FIRE DEPARTMENT**

Birmingham, city of, members and former members; salaries, rights,  
and benefits—  
HB 527, pages 256, 583, 702, 2441, 2595, 2626

**FIRE DEPARTMENTS**

Birmingham, relief and retirement systems, separate—  
HB 270, pages 149, 582, 700, 2440, 2595, 2626

Persons employed by, retirement system, provided—  
HB 1594, pages 1860, 2118

Counties 57,000 to 61,000 population, appropriation provided—  
HB 1692, pages 2030, 2125, 2328, 3559, 3576

**FIREFIGHTERS**

Alabama, personnel standards and education commission, estab-  
lished—  
SB 441, pages 2844, 2845, 2871, 3400, 3594, 3898, 4072

Assigned to another county on a voluntary basis, provided for—  
HB 572, pages 305, 422, 1911

Bargaining agent, provided—  
HB 1284, page 1141

Cities 250,000 or more population, retirement systems, provided—  
HB 802, pages 509, 1754, 1892, 2738, 2761, 2850

Dependents, compensated—  
HB 841, page 531

**FIREFIGHTERS (Continued)**

Mobile, retirement, regulated—

HB 1761, pages 2175, 2868, 3359

Montgomery, city of, pension system, regulated—

HB 1383, pages 1247, 1405, 1710, 3587

Municipalities 100,000 to 135,000 population, collective bargaining, provided—

HB 353, page 186

Pension fund, established—

HB 191, pages 99, 1308, 1833, 2049, 2196, 2255, 2428

Rural units, equipment, to purchase through State Forestry Commission—

HB 964, pages 725, 1076

Volunteer, civil liability, exempt from—

HB 561, pages 303, 425, 1773, 2196, 2256, 2538, 2686, 3069, 3382

**FIREFIGHTERS AND FIREMEN**

Phenix City, retirement system, provided—

HB 965, pages 725, 928, 1041, 2746, 2777, 2851

**FIREFIGHTERS EMPLOYEE—EMPLOYER RELATIONS ACTS**

Named—

HB 1284, page 1141

**FIREFIGHTERS PENSION FUND**

Montgomery, city of, regulated—

HB 1383, pages 1247, 1405, 1710, 3587

**FIRE MARSHALLS**

Mobile homes, inspection of—

HR 78, page 29

Peace officers, granted full powers of—

HB 77, page 29

State, peace officers, full powers of, granted—

SB 170, pages 2791, 3458, 3859, 4061, 4147, 4383

**FIREMEN**

Alabama Firefighters Personnel Standards and Education Commission, established—

HB 525, pages 256, 1650, 3071, 3382, 3400, 3402

Birmingham, city of, present and former; salaries, rights, and benefits—

HB 527, pages 256, 583, 702, 2441, 2595, 2626

Dependents, compensated—

HB 841, page 531

Extra allowances, granted—

HB 408, pages 197, 220, 330, 332

Killed in line of duty, compensation to family, relating to—

SB 189, pages 1686, 1688

**FIREMEN (Continued)**

Killed in line of duty, survivor benefits, provided for—  
SB 124, pages 1005, 1008, 1748, 4457, 4467, 4492

Cities 45,000 to 65,000 population, retirement fund, Board of Trustees, created—  
HB 1573, pages 1772, 2122, 2319

Cities 250,000 or more population, retirement systems, provided—  
HB 802, pages 509, 1754, 1892, 2738, 2761, 2850

**FIRST CONGRESSIONAL DISTRICT**

State Gas and Oil Board, two members of, to reside in—  
HB 1565, pages 1762, 2118, 3382, 3444

**FIRST JUDICIAL CIRCUIT**

Circuit Court Judge, additional, provided—  
HB 1547, pages 1682, 2113, 2314, 4378, 4483, 4499

Court Reporter and District Attorney, expense accounts, increased—  
HB 515, pages 254, 343, 637, 2439, 2544, 2625

**FISH**

Certain game, selling of, unlawful—  
SB 307, pages 1001, 1302, 4340, 4476

Certain selling of, unlawful—  
HB 375, page 190

**FISHING**

Commercial, helper, provided—  
HB 653, pages 361, 380, 468, 2442, 2597, 2627  
HB 654, pages 361, 580, 690, 2448, 2565, 2626  
HB 985, pages 741, 1466, 3071, 3384

Net, in waters where salt water striped bass are stocked, prohibited—  
HB 1167, pages 1012, 1302, 2196, 2256, 2538, 2686, 3069, 3382

**FISHING LICENSES**

Back dating, unlawful—  
HB 557, pages 302, 378, 1728

Borrowing, lending or altering of, regulations—  
HB 588, pages 308, 379, 1730

Fees, increased—  
HB 1406, pages 1264, 1302, 2538, 2685, 3069, 3229,

Non-resident—  
HB 663, page 382

Sport, salt water, provided for—  
HB 1114, pages 941, 1752

Valid for twelve months—  
HB 850, page 535

**FIXED WING AIRCRAFTS**

Exclusions—  
HB 433, pages 203, 1193

**FLAGS**

Counties 10,660 or less population, official, to adapt—  
HB 1532, pages 1675, 2009, 2214, 3645, 3693, 3856

**FLINT**

Town of, boundaries altered—  
SB 1189, pages 3317, 3318, 3467, 3763, 3929

Town of, Morgan county, boundaries altered—  
HB 1511, pages 1662, 1754, 1891, 3592, 3678

**FLOMATON**

Boundaries, altered—  
HB 1420, pages 1313, 1469, 1711, 2773, 2807, 2852  
SB 967, pages 3027, 3030, 3703, 3916, 4072

**FLORA**

Of state, natural resources, designated as—  
HB 146, page 67

**FLORALA MEMORIAL HOSPITAL**

Commended—  
SJR 44, pages 999, 1101, 1217

**FLORENCE**

Trash, accumulated, public nuisance, to declare—  
SB 813, pages 2984, 2962, 3863, 4161

University of North Alabama, appropriation, provided—  
HB 1417, pages 1313, 1476, 2537, 2684, 3068, 3108

Weeds and trash, declared as lien against property—  
HB 1058, pages 870, 934, 1102, 2751, 2768, 2851

**FLOWERS, MISS PAM**

Commended—  
HJR 111, pages 658, 1224, 1237, 1239

**FOLSOM, GOVERNOR JAMES E. (BIG JIM)**

Illness regretted—  
HJR 181, pages 1228, 1344, 1791, 1814, 1839  
HJR 213, pages 1401, 1757, 1788, 1839

**FOLSOM SCHOOL**

Personnel, commended—  
HR 222, page 1506

**FOOD**

Service charge on, limited—  
HB 299, pages 164, 3223, 3254

**FOOD HANDLERS**

Health certificates, required—  
SB 177, pages 2837, 2839

FOOD ESTABLISHMENTS

Sugar, dispensing of, provided—  
HB 42, pages 14, 217, 775

FORD, GERALD R.

Commended—  
HJR 26, pages 208, 267, 762, 765, 798

FORD, MISS LEIGH

Complimented—  
HJR 7, pages 119, 267, 402, 411, 418

FOREIGN CORPORATIONS

Venue of actions against, provisions concerning, removed—  
HB 1150, page 968  
HB 1151, page 968

FOREIGN MEDICAL SCHOOLS

Licensing of graduates—  
HB 1931, pages 2884, 3253

FOREST FIRES

Geneva County Commission, to protect against—  
HB 1127, pages 947, 1003, 1103, 2455, 2569, 2627

FORESTRY

Provided for—  
HB 1171, pages 1014, 1193, 2538, 2685, 3069, 3219

FORESTRY COMMISSION

Motor vehicles used by, liability insurance, provided—  
HB 1528, page 1675

FORESTRY COMMISSION BUILDING AUTHORITY

Public corporation, organized—  
HB 1733, page 2159

FORESTRY PRACTICES STUDY COMMITTEE

Created—  
HJR 363, pages 2830, 3067

FORT DALE ACADEMY GIRLS BASKETBALL TEAM

Commended—  
SJR 18, pages 404, 464, 614

FORT LOUIS DE LA MOBILE

Monument of, Alabama Historical Commission, jurisdiction and care of—  
HB 954, pages 724, 1077

FORT MORGAN HISTORICAL COMMISSION

Abolishment of—  
HB 498, pages 244, 578, 2537, 2685, 3069, 3171

**FORT MORGAN PARKWAY**

Named—

HJR 353, pages 2644, 4156, 4202, 4204

**FORT PAYNE**

Boundary lines altered—

HB 1921, pages 2880, 3259, 3542, 3938, 3986, 4116

**FORT TOULOUSE**

Alabama Historical Commission to restore—

HB 1778, pages 2191, 2876, 3382, 3407, 4392, 4484, 4499

**FORT TOULOUSE SITE**

Alabama Historical Commission, to restore—

HB 180, pages 94, 217, 651

**FOSTER, JOHN N.**

Commended—

HJR 187, pages 1266, 1345, 1791, 1814, 1839

**FOUNTAIN CORRECTIONAL INSTITUTION**

Conjugal visitation, provided—

HB 889, pages 603, 1310, 3071, 3384

**FOUR NATURALS**

Commended—

HJR 327, pages 2406, 2601, 2836, 2863, 3247

**FOURTEENTH JUDICIAL CIRCUIT**

Circuit Judge, additional, provided—

HB 1621, page 1874

Circuit Judge, additional, provided—

SB 1070, pages 2847, 3868, 4343, 4409, 4473

Walker County, Assistant District Attorney, compensated—

HB 1253, pages 1098, 1186, 1281, 2450, 2566, 2626

**FOURTH JUDICIAL CIRCUIT**

Additional judge, provided—

SB 829, pages 2842, 2843

District Attorney, investigators, hired—

HB 1173, page 1014

**FOXES**

Counties 27,000 to 27,900 population, steel traps, use of, prohibited—

HB 1553, pages 1757, 1843, 1998, 3592, 3679,

Counties 53,000 to 55,000 population, trapping of, prohibited—

HB 1956, pages 3263, 3463, 3743, 4123, 4144, 4498

**FRANK LEE YOUTH CENTER**

Conjugal visitation, provided—

HB 889, pages 603, 1310, 3071, 3384

Educational program, provided—

HB 825, pages 665, 1477, 2071, 2196, 2256, 2538, 2686, 3069, 3383, 3665

**FRANKLIN COUNTY**

Coroner, Deputy Coroner, to appoint—  
HB 441, pages 228, 293, 369, 2451, 2604, 2627

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Students given instruction on—  
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**FRETWELL, WILLIAM E.**

Death mourned—  
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Placed on capitol steps—  
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HJR 440, page 4416

**FUEL PUMPS**

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HB 690, pages 390, 1076, 3071, 3383

**FULTONDALE HIGH SCHOOL BAND**

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HB 1232, pages 1090, 1924

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HB 432, pages 203, 423, 1912, 1914

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HB 1418, pages 1313, 1466

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HB 1103, pages 938, 1002

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HB 1134, pages 952, 1466

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SB 260, pages 2918, 2925, 3254, 3529, 3718

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City of, policemen and firemen retirement fund, board of trustees for, created—

HB 1848, pages 2473, 2636, 3081, 3945, 4071, 4117

City school board, appropriated funds—

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HB 1574, pages 1772, 1924, 2070

**GAMBLE JR., JUDGE ARTHUR**

Attempted assassination of, lamented—

SJR 94, pages 2130, 2245

**GAME AND FISH**

Certain game fish, selling of, illegal—

HB 175, pages 93, 217, 777

Clarke county, night time deer hunting, equipment used in, declared contraband—

HB 245, pages 116, 131, 274, 2749, 2766, 2851

Commercial fishermen's helper, provided—

HB 985, pages 741, 1466, 3071 3384

HB 653, pages 361, 380, 468, 2442, 2597, 2627

HB 654, pages 361, 580, 690, 2448, 2565, 2628

Commercial fishing gear, use of, regulated—

HB 463, pages 234, 1002, 2078, 2079, 4141, 4160, 4498

Covington county, commercial fishing nets, outlawed—

HB 1571, pages 1771, 1931, 2057, 3585, 3679

Creel limits, fisherman exceeding, penalties provided—

HB 464, pages 234, 1002

Deer, hunting of, from public waters, equipment used, to be confiscated—

HB 472, pages 235, 379, 1733, 1897

Department of Conservation division of, appropriation to—

HB 442, pages 229, 379, 983

Deputy Wardens, appointment of, regulated—

HB 575, pages 305, 379, 1731

Division of, Department of Conservation and natural resources, game and fish fund, appropriation from, for purchase of radio communication equipment—

HB 227, pages 107, 218, 781, 911, 983, 1357, 1358

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Domestic animals, killing while hunting, penalty prescribed—

HB 470, pages 235, 379, 1733

Fishing licenses, borrowing, lending or altering of, regulated—

HB 588, pages 308, 379, 1730

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HB, 663, page 382

Hunting and fishing licenses, back dating, unlawful—

HB 557, pages 302, 378, 1728



## GAME AND FISH (Continued)

Hunting and fishing licenses, valid for 12 months—  
HB 850, page 535

Hunting, by artificial light, unlawful—  
HB 468, pages 235, 379, 1733, 1897  
HB 471, page 235

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HB 562, pages 303, 379, 1729

Hunting licenses, non-resident, cost of—  
HB 666, page 382

Hunting licenses, non-resident, cost of, provided—  
HB 706, pages 394, 578, 2538, 2685, 3069, 3229

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HB 469, pages 235, 379, 1732

Largemouth bass, official fresh water fish, designated—  
SB 308, pages 1000, 1301, 4350, 4477

Licenses, non-resident fishing required—  
HB 484, pages 240, 578, 2538, 2685, 3069, 3226

Licenses, uniform issuance fee, provided—  
SB 322, pages 1684, 1685, 1752, 4352, 4474

Non-native game birds, hunting of, without a license, permitted—  
HB 885, pages 602, 1302, 3230, 3843

Salt licks and scaffolds, use of, in hunting, legalized—  
HB 473, pages 235, 379, 1732

Salt water striped bass, net fishing of, prohibited—  
HB 1167, pages 1012, 1302, 2196, 2256, 2538, 2686, 3069, 3382

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SB 307, pages 1001, 1302, 4340, 4476

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HB 553, pages 302, 1002

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HB 474, pages 236, 428, 3382

Washington County, illegal hunting of deer, equipment confiscated,  
sale of, money to State fund—  
HB 171, pages 90, 344, 406

Wild turkey, official state game bird, designated—  
HB 215, pages 104, 217, 779

Counties 14,000 to 15,000 population, hunting, regulated—  
HB 1861, pages 2488, 2637, 3084, 3661, 3687, 3855

Counties 16,245 to 16,300 population, hunting, regulated—  
HB 1860, pages 2488, 2637, 3084, 3661, 3687, 3855

Counties 16,600 to 16,950 population, hunting, regulated—  
HB 1875, pages 2498, 2642, 3091, 3852, 3903, 4115

**GAME AND FISH (Continued)**

Counties 17,000 to 20,000 population, fish, taking of by mesh baskets, regulated—

HB 1863, pages 2489, 2637, 3085, 3852, 3903, 4115

Counties 27,000 to 27,900 population, foxes and raccoons, use of steel traps, prohibited—

HB 1553, pages 1757, 1843, 1998, 3592, 3679

Counties 34,100 to 34,900 population, fish, taking of, from public streams, prohibited—

HB 1005, pages 752, 1185, 1275, 2454, 2568, 2626

Counties 35,000 to 38,000 population fish, taking of, by mesh baskets, regulated—

HB 1862, pages 2488, 2642, 3090

Counties 53,000 to 55,000 population, foxes, trapping of, prohibited—

HB 1956, pages 3263, 3463, 3743, 4123, 4144, 4498

Counties 55,500 to 56,500 population, hunting, regulated—

HB 1874, pages 2498, 2642, 3091, 4003, 4066, 4117

Counties 57,000 to 61,000 population, hunting and fishing licenses and fees, additional prescribed—

HB 1762, pages 2178, 2468, 2729

Counties 600,000 or more population fish, taking of, from public streams and impounded waters, further regulated—

HB 60, pages 22, 581, 698, 3848, 3908, 4116

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Non-native, hunting of with out a license, permitted—

HB 885, pages 602, 1302, 3230, 3843

**GARDEN CLUBS**

Taxes, exempt—

HB 1584, pages 1851, 3866, 4455

**GARDENDALE**

City of, boundaries and corporate limits, altered, rearranged, and extended—

HB 323, pages 171, 582, 700, 1656, 1661, 1838

**GAS**

Defined—

HB 1602, pages 1863, 3457

LP, agricultural producers, sales tax on, exempt—

HB 1069, pages 877, 2116, 3070, 3383

Natural, rights, lease of, expiration of, provided—

HB 242, page 113

Produced within state, to be offered for sale in state first—

HB 1855, page 2487

Rights, Board of Corrections, on property controlled by—

HB 29, page 12

Wells, permit fee, increased—

HB 658, pages 381, 2112, 2684, 2741, 4327, 4394, 4499

## GAS DISTRICTS

Cullman County, director, fee prescribed—

HB 1020, pages 811, 929, 1044, 2454, 2569, 2626

Usury laws, exempt—

HB 1195, pages 1026, 1079, 3382, 3551, 3552, 4154, 4185, 4499

## GASOLINE

Additional tax on, provided—

HB 1126, pages 947, 2459, 3382, 3444

Boards of education, city or county, excise tax exemption on—

HB 25, page 11

Dekalb County, excise tax on, imposed—

HB 1864, pages 2489, 2642, 3091, 3348, 3396, 4004, 4067, 4117

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HB 1824, pages 2298, 2469, 2730, 3890, 3987, 4116

Counties 600,000 or more population, additional tax on, levied—

HB 1303, page 1151

HB 1490, pages 1502, 2465, 2720, 2732

HB 1500, pages 1504, 2466, 3076, 3093

Cullman County, additional tax on, provided—

HB 1211, pages 1030, 1304, 1430

Dekalb County, excise tax on, additional levied—

SB 149, pages 2920, 2925

Excise or privilege license taxes on, taxi cabs, exempt—

HB 1432, pages 1321, 2877

Excise tax on, incorporated municipalities, exempt from—

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Municipalities, to transfer—

SB 845, pages 2843, 2874, 3860, 4336, 4474

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HB 446, page 231

State licensing board, funds in treasury increased—

HB 815, pages 523, 585, 1808, 2829, 2860, 3246

Counties 300,000 to 500,000 population, increase in funds from provided—

HB 1162, pages 1011, 1308, 1447, 3643, 3697, 3857

## GENERAL OBLIGATION BONDS

Issuance of—

HB 747, pages 443, 1474, 2080, 4154, 4186, 4499

\$7,000,000 not exceeded, sale and issuance, authorized for improvement of mental health facilities—

HB 334, pages 179, 586, 2195, 2255, 2537, 2553, 4417, 4487, 4500

HB 335, pages 180, 586, 2195, 2255, 2537, 2551, 4419, 4489, 4500

## GENEVA

City of, boundaries altered—

HB 1159, pages 1009, 1081, 1164, 2455, 2607, 2627

Circuit court clerk, tax assessor, and tax collector, clerk-hire allowance, provided—

HB 1937, pages 2885, 3259, 3543, 3996, 4064, 4117

## GENEVA COUNTY

City of Geneva, boundary lines rearranged—

HB 1159, pages 1009, 1081, 1164, 2455, 2607, 2627

Commission, authorized to protect against forest fires—

HB 1127, pages 947, 1003, 1103, 2455, 2569, 2627

Court reporter, additional compensation, provided—

HB 1768, pages 2186, 2257, 2518, 3591, 3677

Sheriff, prisoner feed allowance, granted—

HB 1149, pages 967, 1003, 1103, 3643, 3697, 3857

Tax assessor and collector, relieved of traveling duty—

HB 1743, pages 2162, 2257, 2517, 3591, 3677

## GEORGE C. WALLACE BUILDING

Physical educational facility, named, University of Alabama Birmingham—

HB 434, pages 203, 428, 2072

## GEORGE C. WALLACE SPEECH AND HEARING CENTER

University of Montevallo, named—

HB 176, pages 93, 216, 774

## GEORGE C. WALLACE STATE COMMUNITY COLLEGE

Appropriation, provided—

HB 1548, pages 1682, 1743

HB 1549, pages 1682, 1743

Gymnasium, Annie Lee Cherry, named for—

HB 660, pages 381, 583, 704, 2734, 2749, 2850

SB 1053, pages 2307, 2460, 3914

## GEORGE C. WALLACE STATE TECHNICAL COMMUNITY COLLEGE

Harlan G. Allen building, named—

HB 1769, pages 2187, 2460, 3382

## GEORGE C. WALLACE UNION BUILDING

Livingston University, named—

HB 902, pages 610, 1077, 1167, 3850, 3905, 4115

## GEORGE M. HUDSON BUILDING

Named—

SB 380, pages 1482, 1483, 1748

## GIBSON, JOHN B.

Commended—

HR 321, pages 2303, 2601

GIFTS

To minors, provided for—

SB 131, pages 538, 3457, 4460, 4466, 4492

GILBERT, SHELIA

Commended—

HR 61, page 266

GILLEY, HOMER DEWITT

Death mourned—

SJR 53, pages 1222, 1223, 1344, 1406

GILVIN, DR. HERBERT E.

Commended—

HJR 24, pages 138, 402, 412, 419

GLOSSER, DR. MORT

Commended—

HJR 119, pages 760, 894, 1225, 1238, 1239

GOOD HOPE

Boundary lines altered—

HB 1939, pages 2886, 3259, 3463, 3783, 4122, 4143, 4498

GOOD NEIGHBOR COMMISSION

Created—

HB 230, pages 107, 1476, 1793

GOOD SAMARITAN BILL

Civil liability, persons who render emergency care, exempt from—

HB 454, pages 233, 1082

SB 106, pages 2842, 2875, 4445, 4463, 4468, 4493

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Counties 170,000 to 300,000 population not liable—

HB 1201, pages 1028, 1470, 1718, 3644, 3698, 3857

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Paroled convicts, provided—

HB 10, page 9.

GOODWILL INDUSTRIES

Sale and use taxes, exempt—

HB 1106, page 939

GOSDIN, E. J. "BOOTS"

Speedy recovery, wished—

SJR 84, pages 2131, 2598, 2688

GOSHEN

Town of, boundaries extended—

HB 757, pages 445, 580, 690, 2437, 2543, 2625

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To cooperate in development of areas—  
HB 1467, pages 1423, 1842

## GOVERNMENT

Local, constitution amended, relating to—  
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Alabama Legislative Building Authority, member of—  
HB 343, page 181  
HB 392, page 194

Boards of Education, employers out-of-state travel, authorization by,  
not needed—  
HB 79, pages 29, 587, 3071, 3382, 3836, 3838

Community services administration, established in offices of—  
HB 703, pages 393, 425, 3070, 3383

Credit union board, to appoint—  
HB 1415, pages 1313, 1464

Department of public safety, to protect—  
HB 1042, page 842

Disaster victims, temporary housing, to provide—  
HB 1629, page 1880

Executive secretary of, corporation, to become member of—  
HB 1137, page 963

Expense allowance, provided—  
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Forestry commission building authority, member of—  
HB 1733, page 2159

Local governmental units, suffering through a disaster, relief pro-  
vided—  
HB 1630, page 1880

Murdered or assassinated public officials, reward raised—  
HB 1604, pages 1864, 1920, 2073

Notaries public, to appoint—  
HB 1368, pages 1245, 2872

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HJR 2, page 4  
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Other states, to enter into agreements with, concerning railway  
policemen's jurisdiction—  
HB 282, pages 157, 421, 1899

Protected—  
SB 795, pages 1495, 1749, 3859, 3990, 4057, 4096, 4107

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District attorneys secretary, to attend—  
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out of—  
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Judicial circuits composed of one county with 6 to 9 circuit judges,  
appointed—  
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Blount County, opening of, authorized—

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Racing commission, created—

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**GREGG, MRS. RICHARD**

Commended—

HR 420, page 4057

**GRESHAM, MRS. ELLA MAE**

Commemorated—

HR 304, pages 2152, 2599

**GREY, D. C. (DEACON)**

Death mourned—

HJR 385, pages 3252, 3376, 3386, 3454

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**GREYHOUND RACING**

Greene County, provided—

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Jefferson County, regulated—

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Dale County, boundary lines and corporate limits, altered, rearranged, and extended—

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Clarke County, inferior court clerk, municipal court reporter, search and arrest warrants, to issue—

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## GUNS AND RIFLES

Bessemer, city of, seized, to sell or use—

HB 1176, pages 1016, 1306, 1440

Bibb County, pistol permit, fee for, fixed—

HB 804, pages 511, 580, 691

Cities 300,000 or more population, seized, to sell or retain—

HB 1294, pages 1146, 2008, 2211, 2212

Clarke County, used in night time deer hunting, declared contraband—

HB, 245, pages 116, 131, 274, 2749, 2766, 2851

Conecuh County, pistol fee, provided—

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Crenshaw County, pistol permits, fee fixed—

SB 158, pages 2964, 2966, 3254, 3528, 3718

Elmore County, pistol permits, fund use, prescribed—

HB 1779, pages 2191, 2261, 2533, 3655, 3696, 3856

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HB 497, pages 243, 1076

Marshall County, pistol permits, fee fixed—

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HB 1675, pages 2014, 2123, 2321, 3647, 3690, 3856

Person firing at aircraft, punishment, provided—

HB 1771, pages 2187, 2457

Pistol permit fee, issued—

HB 928, pages 668, 802, 980, 3557, 3575, 3684

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HB 1588, pages 1851, 1931, 2059

**GUNS AND RIFLES (Continued)**

Washington County, used in night time deer hunting, declared to be contraband—

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Counties 12,000 to 12,800 population, pistol permits, fee fixed—

HB 1245, pages 1096, 1122, 1234, 2450, 2604, 2627

Counties 22,000 to 22,500 population, pistol permits, fee fixed—

HB 1851, pages 2486, 2641, 3089, 3852, 3903, 4115

Counties 33,500 to 34,000 population, pistol permits, additional fee, provided—

HB 1522, pages 1674, 1843, 1998, 2051, 3592, 3678

Counties 53,000 to 55,000 population pistol permits, fee fixed—

SB 1222, pages 3298, 3306, 3470, 3776, 3933

Counties 55,500 to 56,500, population, pistol permits, fee fixed—

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Counties 57,000 to 61,000 population pistol permits, fee fixed—

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Counties 175,000 to 300,000 population, seized, allowed to sell—

HB 1870, page 2497

Counties 600,000 or more population, confiscated, to sell or use—

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Doctors, to report—

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**GURGANUS, BRENT**

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Alabama women's, established—

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Physically, public buildings, made functional for—

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Alabama Institute for the Deaf and Blind, education of, provided for—

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**HARDING, ELLEN LAUNIUS**

Honored—

HJR 261, pages 1935, 2601, 2835, 2862, 3246

**HARE, N. S. "NICK"**

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**HARGREAVES, GEORGE WALTER**

Death mourned—

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George C. Wallace State Community College, named—

HB 1769, pages 2187, 2460, 3382

**HARPER, ADDIE BELLE**

Commemorated—

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**HARPER, TINA**

Congratulated—

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Named—

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**HARRY V. SCHMIDT**

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HB 818, pages 524, 1195, 3382, 3812, 4468, 4491, 4500

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Commended—

SJR 45, pages 999, 1101, 1217

**HARTFORD, STEWART**

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HB 1791, pages 2261, 2463, 2710, 3656, 3696, 3856

**HAYNEVILLE**

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HB 774, pages 451, 1744

**HAZARDOUS DUTY PAY**

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HB 85, page 30

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report—  
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Counties 300,000 to 500,000 population, state laws, enforcement of,  
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Counties 24,900 to 25,150 population, to establish—  
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## HEALTH DEPARTMENT

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HB 1473, page 1425

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HB 1729, pages 2044, 2876, 3667

Counties 90,000 to 100,000 population, funded—  
HB 1878, pages 2645, 2878, 3371

## HEALTH DEPARTMENT, STATE

Family planning services, appropriation made to—  
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**INTERSTATE AGREEMENT ON QUALIFICATION OF EDUCATIONAL PERSONNEL**

Entered into—

SB 656, pages 1688, 1689

**INTERSTATE AND FEDERAL PROGRAM**

To use prisoner labor to build a canal, developed—

HJR 395, pages 3573, 3628, 3859

**INTERSTATE COMMON CARRIERS**

Commissioner of Revenue, state income taxes, withholding and payment of—

HB 302, pages 165, 588

**INTERSTATE COMPACT ON MENTAL HEALTH**

Entered—

HB 888, pages 603, 1081, 2538, 2685, 3069, 3234

SB 698, pages 2845, 2864, 4444, 4470

**INTERSTATE'S PERSONAL ESTATE**

Distribution of, provided for—

HB 1356, pages 1216, 1745

**INTOXICATED PERSONS**

Pistol or handgun, in possession of, in public place—

HB 102, page 42

**INVESTIGATIVE ASSISTANTS**

Fifth Judicial Circuit, powers and duties, provided—

HB 1523, page 1674

**INVESTIGATORS**

District attorney, provided—

HB 699, page 392

Fifth Judicial Circuit, provided—

HB 424, pages 201, 343, 1727, 3589, 3683

Judicial Circuits of one county, with 6 to 9 Circuit Judges, appointed—

HB 209, pages 103, 1474, 2050, 3595, 3691, 3856

Counties 42,000 to 49,500 population office of, for district attorney, created—

HB 110, pages 47, 722, 902, 2452, 2605, 2627

**IRRIGATION**

In state, provided for—

HB 1772, page 2187

HB 1773, page 2187

## IRRIGATION DEVELOPMENT TRUST FUND

Created—

HB 1773, page 2187

## ISABELLA HIGH SCHOOL BASKETBALL TEAM

Commended—

HR 13, page 122

## JACKSON

Clarke county, inferior court clerk, municipal court recorder, search  
and arrest warrants, to issue—

HB 1013, pages 805, 929, 1044, 2751, 2767, 2851

## JACKSON COUNTY

City of Scottsboro, boundary lines rearranged—

HB 167, pages 82, 429, 548, 2798, 2858, 3246

HB 168, pages 85, 429, 549, 2801, 2858, 3246

County governing body chairman of, salary provided—

HB 450, pages 231, 429, 549, 3614, 3691, 3856

## JACKSON, DR. EMORY O.

Death mourned—

HR 348, page 2616

## JACKSON, DWIGHT M.

Death mourned—

HJR 251, pages 1847, 2600, 2835, 2862, 3246

## JACKSON, FRANK

Return of, welcomed—

HJR 21, pages 136, 404, 413, 419

## JACKSON, REPRESENTATIVE

Happy birthday, wished—

HJR 131, pages 892, 972, 1225, 1238, 1239

## JACKSON, RONALD E.

Commended—

HJR 332, pages 2412, 2601, 2836, 2863, 3247

## JACKSONVILLE

City of, Civil Service Board, pay increased—

HB 1703, pages 2034, 2260, 2526, 3658, 3688, 3856

## JAILER

Counties 11,500 to 12,500 population, provided for sheriff—

HB 1951, pages 2893, 3259, 3546

## JAILERS

Russell county, hired—

HB 111, pages 47, 292, 365, 1896, 2748, 2765, 2851

## JAIL MATRON

Russell county, sheriff, to appoint—  
HB 106, pages 45, 429, 547, 2748, 2765, 2851

## JAILS

Municipal, operation of—  
HB 65, page 23

Counties 500,000 or more population, prisoners, rehabilitation of,  
provided—  
HB 746, pages 443, 682, 1187, 1288, 2445, 2548, 2625

## JAMES, JR., GENERAL DANIEL

Commended—  
HJR 125, pages 889, 972, 1225, 1238, 1239

## JANUARY

Second Tuesday in, legislature to convene—  
HB 1428, page 1319

## JASPER

City of, Civil Service System, provided—  
HB 1905, pages 2663, 2866, 3354, 4003, 4066, 4117

City of, Walker county appropriation for—  
HB 271, pages 152, 1744, 1919, 1988, 4393, 4483, 4499

## JAYNE, NELLIE IRENE JONES

Honored—  
HJR 238, pages 1783, 1847, 2222, 2244, 2253

## JEFFERSON COUNTY

Bessemer division, assistant sheriff, compensated—  
HB 1110, pages 939, 1306, 1439, 1695, 2446, 2548, 2625

Bessemer division, officials, provided for—  
HB 1175, pages 1015, 1306, 1440, 2756, 2768, 2851

Birmingham Institute for Neurological Development, appropriation  
provided—  
HB 538, page 298

Civil court, established—  
HB 1518, pages 1668, 2867, 3357, 3848, 3909, 4116, 4335, 4400, 4482,  
4500, Ex. Amdt.  
SB 1038, pages 3042, 3049, 3704, 3921, 4075

District court judge, salary fixed—  
HB 1462, pages 1418, 1755, 1895, 2446, 2549, 2626

Employee's of, Pension System established—  
HB 897, pages 604, 932, 1057, 2583, 3159, 3791, 3792, 3888, 3989,  
4116

Employees, Retirement System, provided—  
HB 1777, page 2189

Fees, relating to sale of real estate for delinquent taxes, provided—  
SB 681, pages 3007, 3009, 4202

## JEFFERSON COUNTY (Continued)

Fire prevention districts, created—

HB 1810, pages 2284, 2868, 3358, 3526, 3713

Gardendale, city of, boundaries and corporate limits, altered, rearranged, and extended—

HB 323, pages 171, 582, 700, 1656, 1661, 1838

Jurors, provided for—

SB 627, pages 3005, 3009, 3704, 3919, 4072, 4426, 4494

Law library tax, increased—

HB 986, pages 741, 1305, 1437, 2739, 2760, 2850

Mayor's in, compensation, fixed—

HB 1178, pages 1017, 1306, 1440, 2446, 2549, 2636

SB 695, pages 3008, 3009

Mobile homes, standards set—

HB 680, page 385

Non-moving traffic violations, subpoenas and warrants for prohibited after certain hours—

HB 681, pages 388, 932, 1056, 2739, 2760, 2850

Racing commission, established—

HB 1135, page 952

Real estate, fees for the sale of, for delinquent taxes, established—

HB 898, pages 608, 932, 1058, 2441, 2595, 2626

Relating to—

HB 1136, pages 962, 1306, 1439, 2780, 2861, 3247

School System remit appropriation to Midfield School System—

HB 48, pages 15, 424, 544, 550, 2440, 2545, 2625

Sheriffs deputies, Retirement System, provided—

HB 1776, page 2187

Trafford, town of, boundaries altered—

HB 1190, pages 1023, 1306, 1441, 2739, 2760, 2850

HB 1191, pages 1024, 1306, 1441, 2739, 2760, 2850

Vestavia Hills, land limits, added to—

HB 1454, pages 1407, 2009, 2213, 4124, 4145, 4498

## JEFFERSON COUNTY COMMISSION AND WATER BOARD

Rates, requested to revise—

HJR 338, pages 2504, 4002, 4069, 4117

## JEFFERSON COUNTY HEALTH DEPARTMENT AND TRANSIT AUTHORITY

Joint interim committee to study permanent financing of, created—

SJR 161, pages 4264, 4476

## JEFFERSON COUNTY RACING COMMISSION

Established—

HB 1135, page 952



JEFFERSON STATE JUNIOR COLLEGE

Certain buildings, named—  
HB 1498, pages 1504, 1749

JOE WHEELER STATE PARKWAY

Designated—  
SJR 92, pages 2130, 2245

JOHN C. CALHOUN STATE COMMUNITY COLLEGE

Bob Harris Building, named—  
HB 1427, pages 1319, 1462, 2069

Noble J. Russell Building, named—  
HB 1426, pages 1319, 1462, 2069, 3851, 3906, 4115

JOHN JONES ELEMENTARY SCHOOL

Lady volunteers, commended—  
SJR 41, pages 999, 1217

JOHNSON, JUDGE FRANK M.

Commended—  
HJR 280, page 2077

JOHNSTONE, DOUGLAS INGE

Honored—  
HR 437, page 4342

JOINT ADVISORY BOARD OF FAMILY PRACTICE

Created—  
HB 1291, pages 1145, 1217, 1845, 2461, 2684, 2740

JOINT COMMITTEE

To study interstate and intrastate highway safety, continued—  
HJR 59, pages 264, 338

To study medicaid, extended—  
HJR 170, pages 1176, 1790, 1815, 1839

JOINT COMMITTEE FOR HOSPITAL MEDICAL INSURANCE

Created—  
HJR 253, pages 1910, 2048, 2093  
SJR 98, pages 2132, 2682, 3791, 3925, 4495, 4496

JOINT COMMITTEE TO STUDY FAIRHOPE SINGLE TAX CORPORATION

Created—  
HJR 326, page 2407

JOINT COMMITTEE TO STUDY MEDICARE

Created—  
HJR 17, pages 134, 1238, 1239

JOINT CONTINUING PRISON AND PENAL SYSTEM STUDY COMMITTEE

Created—  
HJR 324, pages 2309, 2683

**JOINT HIGHWAY COMMITTEE.**

Created—

HB 1917, pages 2677, 2876, 3382, 3443, 3875, 3988, 4116, 4412, 4432,  
4489, 4496, 4497, 4500 Ex. Amdt.**JOINT INTERIM COMMITTEE**

To study parks, extended—

HJR 180, pages 1228, 1345

**JOINT INTERIM COMMITTEE**

To study probate law, created—

HJR 140, pages 1039, 1790, 1813, 1839, 4496, 4497

**JOINT INTERIM COMMITTEE**

To study real estate laws, created—

HJR 139, pages 1004, 1198, 2795, 2862, 3246, 4496, 4497

**JOINT INTERIM COMMITTEE TO STUDY CRIMINAL CODE**

Created—

HJR 368, pages 3062, 3897, 3990, 4116, 4496, 4497

**JOINT INTERIM COMMITTEE TO STUDY FOOD PRICING PRACTICES**

Created—

SJR 99, page 2134

**JOINT INTERIM COMMITTEE TO STUDY GRANTS RECEIVED BY STATE AGENCIES**

Created—

SJR 91, pages 3630, 3859, 4495, 4496

**JOINT INTERIM COMMITTEE TO STUDY RULES OF THE ROAD AND VEHICULAR TRAFFIC**

Created—

HJR 441, pages 4433, 4442, 4489, 4500

**JOINT RULE 14**

Amended—

HJR 120, page 760

**JOINT RULE 15**

Proposed—

HJR 121, pages 766, 3379, 3388, 3454

**JOINT SESSION OF LEGISLATURE**

Held—

HJR 184, pages 1243, 1291, 1295, 1299

**JOINT STUDY COMMITTEE**

To study medicare, created—

SJR 14, pages 318, 338, 467, 614

**JOINT SUPERNUMERARY STUDY COMMITTEE**

Created—

HJR 392, pages 3472, 4156

## JOINT UNDERWRITERS ASSOCIATION

Established—

HB 300, pages 164, 1750, 2049, 2195, 2223, 2245, 3182, 3248, 3454

JONES, DARYL

Commended—

HJR 158, pages 1154, 1344, 1791, 1813, 1839

JONES, WAYNE

Commended—

HJR 152, pages 1085, 1159, 1480, 1496, 1647

JORDAN, JAMES V. "JAKE"

Honored—

SJR 142, pages 3787, 3936

## JUDGE OF COUNTY COURT

Eleventh Judicial Circuit, secretary of, clerk-hire allowance, provided—

HB 1944, page 2890

Counties 53,000 to 55,000 population, compensation increased—

SB 1201, pages 3320, 3334, 3469, 3768, 3935

## JUDGE OF INFERIOR COURT

Expense allowance, provided—

HB 310, pages 167, 219, 324, 2437, 2542, 2625

## JUDGE OF THE COURT OF LAW AND EQUITY

Chilton county, expense allowance, provided—

SB 931, pages 2998, 3004, 3256, 3538, 3721

## JUDGEMENTS AND DECREES

Certificate of Registration; requirements—

HB 451, pages 233, 340, 1118, 4132, 4146, 4498

## JUDGE OF PROBATE

Cullman county, monetary loss, reimbursed—

HB 1214, pages 1034, 1122, 1232, 1236, 2796, 2860, 3246

Duties of, provided—

HB 152, page 69

Sale of land for ad valorem taxes, duties of, provided—

HB 157, page 69

## JUDGE OF RECORDERS COURT

Inmates, release of, provided—

HB 411, pages 197, 582, 702, 895

## JUDGES

Blount county, of the court of law and equity, compensated—

HB 1797, pages 2272, 2463, 2713, 3659, 3699, 3857

Circuit, retired, Judicial Circuits with 7 to 12 Circuit Judges, Compensation supplemented—

HB 1280, page 1139

## JUDGES (Continued)

Fifteenth Judicial Circuit, additional, provided—  
HB 1139, pages 963, 1478, 1726, 2734, 2750, 2850

Judicial Retirement Fund, created—  
HB 554, page 302

Misdemeanors, persons accused of, to exercise discretion in matter of bond—  
HB 266, pages 148, 425, 706, 759

Power to tax court-appointed counsel fees, provided—  
HB 401, pages 196, 929

Rape cases, evidence, determination of sufficiency of, by—  
HB 452, page 233

Service credit, provided—  
HB 754, page 445

Supreme Court, Courts of Appeal, and Circuit Courts, to become supernumerary—  
HB 1830, page 2300

Tuscaloosa county court, ex-officio, created—  
SB 741, pages 2896, 2898, 3255, 3533, 3547, 3999, 4072

Widows of, yearly benefit paid to—  
HB 148, page 68

Counties 27,000 to 27,900 population, circuit, expense allowance, provided—  
HB 1001, pages 751, 801, 974, 2587, 2621, 2627

Counties 38,100 to 40,500 population, county, expense allowance, provided—  
HB 1775, pages 2187, 2261, 2532, 3655, 3696, 3856

Counties 41,500 to 45,000 population, additional expense allowance—  
HB 1945, pages 2890, 3259, 3545, 3715

Counties 90,000 to 100,000 population, county, salaries supplemented—  
HB 1796, pages 2272, 2463, 2712, 3656, 3696, 3857

## JUDICIAL ARTICLE

Implemented—  
HB 480, pages 237, 2127, 2632  
SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258, 4345, 4477

## JUDICIAL ARTICLE TECHNICAL COUSULTANT

Provided—  
HJR 156, pages 1115, 1790, 1815, 1839

## JUDICIAL CIRCUITS

Certain, judges, expense allowance, provided—  
HB 1582, pages 1850, 1920

Composed of one county, bailiffs appointed—  
SB 218, pages 3286, 3464, 3748, 3925

## JUDICIAL CIRCUITS (Continued)

Composed of one county with six to nine Circuit Judges, District Attorney, administrative assistant to, salary increased—  
HB 210, pages 103, 498, 622, 3588, 3683

Composed of one county with 6 to 9 circuit judges, grand jury bailiff, appointed—  
HB 211, pages 103, 498, 623, 3944, 4070, 4117

Composed of one county with six to nine circuit judges investigators, appointed—  
HB 209, pages 103, 1474, 2050, 3595, 3691, 3856

Fifteenth, help provided circuit judges—  
SB 894, pages 3018, 3030

Fifteenth, secretaries, hiring of, provided—  
HB 1147, pages 966, 1405, 1709, 3586, 3679

Fourth, additional judge, provided—  
SB 829, pages 2842, 2843

Fourth, district attorney investigators, provided—  
HB 1173, page 1014

Fourteenth, circuit judge, additional, provided—  
HB 1621, page 1874  
SB 1070, pages 2847, 3868, 4343, 4409, 4473

Ninth, court reporters, expense allowance, provided—  
HB 1836, pages 2470, 2641, 3087, 3347, 4004, 4067, 4117, 4390, Ex. Amdt.

One county, seven to twelve judges, circuit judges, retired, compensation, supplemented—  
HB 1120, pages 944, 1307, 1445, 4002, 4068, 4117

7 to 12 circuit judges, compensation, supplemented—  
HB 1280, page 1139

Seventh, deputy district attorneys, appointed—  
HB 1728, pages 2044, 2116, 2513, 3851, 3905, 4115

Sixth, additional judgeships, created—  
HB 1840, pages 2471, 2877  
SB 1036, pages 2847, 3867, 4344, 4377, 4473

Third, district attorney, secretarial assistant, to appoint—  
HB 979, pages 735, 1196, 1890, 3594, 3689, 3856

Thirtieth, circuit judges and district attorney, expense allowance, paid—  
SB 944, pages 3051, 3052

Thirtieth, district attorneys secretary, compensated—  
HB 1850, pages 2485, 2641, 3089, 4003, 4066, 4117

Thirty-third, court reporter, additional compensation, provided—  
HB 1768, pages 2186, 2257, 2518, 3591, 3677

Thirty-third, court reporter, compensated—  
HB 1158, pages 1008, 1121, 1229, 2762, 2779, 2852

Thirty-fourth, investigator, provided for—  
SB 1149, pages 3270, 3271, 3467, 3759, 3928

**JUDICIAL CIRCUITS (Continued)**

37th circuit judges, retired or supernumerary, salaries supplemented—

SB 1164, pages 3271, 3274

Twentieth, circuit court judge, additional, provided—

HB 1311, pages 1200, 1920, 2071, 2734, 2750, 2850

Twentieth, court reporters, compensated—

HB 1295, pages 1146, 1472, 1723, 1724, 3586, 3680

Twenty-fourth, district attorney, secretary, salary increased—

HB 1909, pages 2673, 2878, 3373, 3938, 3986, 4116

Twenty-eighth, court reporters, expense allowance, provided—

HB 1943, page 2890

Counties 27,000 to 27,900 population circuit judge, expense allowance, provided—

HB 1001, pages 751, 801, 974, 2587, 2621, 2627

Counties 60,000 to 65,000 population, court reporters, fee fixed—

SB 1165, pages 3271, 3274

Counties 110,000 to 160,000 population, circuit judges, help provided—

SB 1096, pages 3274, 3286

**JUDICIAL CIRCUITS 27,000 TO 27,900 POPULATION**

Stenographic secretaries, expense allowance, provided—

HB 1071, pages 878, 929, 1046, 2793, 2861, 3247

**JUDICIAL CIRCUITS 95,000 TO 114,000 POPULATION**

Absence of prospective jurors—

HB 421, pages 201, 655, 755, 3589, 3683

Jury members, discharged—

HB 428, pages 202, 655, 755, 3589, 3684

Jury service, notice given—

HB 426, pages 202, 655, 755, 3589, 3684

**JUDICIAL CIRCUITS 110,000 TO 150,000 POPULATION**

Court reporters, compensated—

HB 1726, pages 2044, 2468, 2728

**JUDICIAL INQUIRY COMMISSION**

Compensation of—

HB 480, pages 237, 2127, 2632

SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258, 4345, 4477

**JUDICIAL OFFICERS**

Madison county, standards set—

HB 159, pages 71, 930, 1047, 3625, 3802, 3882, 3902, 4067, 4117

**JUDICIAL RECORDS**

Mistake corrected—

HB 669, pages 382, 657, 705

## JUDICIAL RETIREMENT ACT

Probate judges election to come under—

HB 480, pages 237, 2127, 2632

SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258, 4345, 4477

## JUDICIAL RETIREMENT FUND

Created—

HB 554, page 302

Judges, payments—

HB 754, page 445

Spouses of deceased, to elect to come under—

HB 862, page 591

Supernumeraries, election to come under, provided—

SB 344, pages 1687, 1688

## JUDICIAL SYSTEM

Unified, established—

HB 480, pages 237, 2127, 2632

SB 400, pages 3156, 3158, 3869, 4178, 4186, 4192, 4203, 4204, 4258, 4345, 4477

## JULIA TUTWILER PRISON

Conjugal visitation, provided—

HB 889, pages 603, 1013, 3071, 3384

Educational program, provided—

HB 925, pages 665, 1477, 2071, 2196, 2256, 2538, 2686, 3069, 3383, 3665

## JUNIOR COLLEGES

Snead State, building named—

HB 816, pages 523, 585, 1694, 4153, 4184, 4499

Snead State, facility named—

HB 863, page 591

Staff members of, tenure rights, provided—

HB 859, pages 589, 1183, 1831, 1832

Walker County, appropriation for—

HB 271, pages 152, 1744, 1919, 1988, 4393, 4483, 4499

## JURIES

Absence of prospective jurors—

HB 421, pages 201, 655, 755, 3589, 3683

## JURIES AND JURORS

Certain counties, compensation, regulated—

HB 1277, pages 1137, 1186, 1283, 3586, 3680

Choctaw county, compensated—

SB 820, pages 2952, 2962, 3465, 3754, 3926

Civil actions, three-fourths majority, permitted—

HB 1084, page 887

## JURIES AND JURORS (Continued)

Commission, selection and appointment, further provided—  
HB 509, pages 251, 422, 1903, 1905

Conecuh county, notice of summons sheriff to send—  
HB 163, pages 78, 130, 271, 2442, 2596, 2627

Counties 14,000 to 15,000 population, provided for—  
HB 582, pages 306, 423, 541, 2442, 2597, 2627

Counties 22,000 to 22,500 population, compensation provided—  
HB 1247, pages 1096, 1186, 1280, 2453, 2606, 2627

Counties 23,800 to 23,925 population jury commission, salary provided—  
HB 1713, pages 2038, 2126, 2333, 3591, 3677

Counties 27,900 to 33,500 population, per diem and mileage expense allowance, additional provided—  
HB 90, pages 31, 129, 268, 4124, 4145, 4498

Counties 39,500 to 41,750 population, additional compensation, provided—  
HB 1926, pages 2882, 3259, 3543, 3995, 4064, 4117

Counties 65,000 to 68,000 population, compensated—  
HB 1758, pages 2175, 2468, 2732, 3848, 3908, 4116

Counties 600,000 or more population, selection of, provided—  
SB 343, pages 3005, 3009, 3706, 3943, 4129, 4136, 4450

Judicial circuits 95,000 to 114,000 population, discharged—  
HB 428, pages 202, 655, 755, 3589, 3684

Exemptions from duty, eliminated—  
HB 849, pages 535, 1076, 1829

Fifth judicial circuit, excusing of, provided for—  
HB 1524, page 1674

Fifth judicial circuit, jury attendance notice, provided for—  
HB 1526, page 1674

Hale county, compensated—  
SB 852, pages 2959, 2962, 3863, 4162, 4384

## JURIES AND JURORS

Jefferson county, provided for—  
SB 627, pages 3005, 3009, 3704, 3919, 4072, 4426, 4494

Legislature, sessions of, during, certain persons exempt from duty—  
HB 822, pages 525, 584, 1123

Persons called for duty, excused—  
HB 848, pages 535, 1076, 1829

Randolph county, compensated—  
SB 665, pages 3000, 3004, 3255, 3532, 3719

Randolph county, provided for—  
HB 812, pages 519, 581, 694, 2746, 2777, 2851

Tuscaloosa county compensated—  
SB 742, pages 2906, 2914, 3862, 4151, 4384



JURY COMMISSION

- Marshall county, authorization of—  
HB 438, pages 204, 293, 368, 2452, 2605, 2627
- Marshall county, expense allowance, provided—  
SB 1198, pages 3341, 3344, 3468, 3767, 3930
- Counties 23,800 to 23,925 population, salary provided—  
HB 1713, pages 2038, 2126, 2333, 3591, 3677
- Counties 27,000 to 27,900 population, compensated—  
HB 1510, pages 1506, 1649, 1785, 3592, 3678
- Counties 53,000 to 55,000 population, expense allowance, provided—  
SB 1197, pages 3340, 3344, 3468, 3766, 3930
- Counties 56,500 to 59,000 population, compensated—  
HB 1421, pages 1314, 1472, 1726, 3587, 3682
- Counties 57,000 to 61,000 population, compensated—  
HB 1968, pages 3266, 3464, 3747, 4124, 4145, 4498
- Counties 65,000 to 68,000 population, compensated—  
HB 1758, pages 2175, 2468, 2732, 3848, 3908, 4116
- Members, selection and appointment, further provided—  
HB 509, pages 251, 422, 1903, 1905

JURY SERVICE

- Judicial circuits 95,000 to 114,000 population notice given—  
HB 426, pages 202, 655, 755, 3589, 3684

JUSTICES OF SUPREME COURT

- Advisory opinion on HB 306, requested—  
HR 87, page 418

JUSTICE OF THE PEACE

- Two offices of profit at same time, not allowed to hold—  
HB 9, page 8

JUSTICES

- Widows of, yearly benefit paid to—  
HB 148, page 68

JUVENILE COURT

- Juveniles, age of, raised—  
HB 149, page 68

JUVENILES

- Age of, raised to eighteen—  
HB 149, page 68

KEY CLUB

- Congratulated—  
HJR 146, pages 1082, 1480, 1497, 1647

KEY, DOUG

- Commended—  
HJR 68, pages 313, 364, 685, 708, 718

## KIDD, MISS ELOISE

Congratulated—

HJR 44, pages 225, 320, 403, 413, 419

## KILBY CORRECTIONS FACILITY

Named—

HJR 329, Pages 2410, 3379, 3388, 3454

SJR 118, page 2455

## KILGORE, JAMES HUBERT

Death mourned—

HJR 277, pages 2064, 2222, 2245, 2253

## KILLEN

Town of, boundaries altered—

HB 1563, pages 1761, 1931, 2056, 3645, 3693, 3856

## KILLIAN, ROGER

Congratulated—

HR 418, page 3984

## KINDERGARTENS

State Department of Education, to establish—

HB 126, pages 60, 128, 473, 707, 709

## KING, BOBBY JOE

Marshall county, relief of, provided—

HB 440, pages 206, 293, 369, 2448, 2565, 2626

## KINSEY

Town of, boundaries altered—

HB 594, pages 309, 380, 466, 540, 689, 753, 2443, 2597, 2627

SB 407, pages 3011, 3017, 3702, 3912

## KIRK, JOHNNY B.

Congratulated—

HJR 41, pages 223, 320, 403, 413, 419

## KISSINGER, DR. HENRY

Legislature adjourn in time to hear address by—

HJR 220, page 1458

Welcomed to Alabama—

HJR 233, page 1692

## KITCHENS

Fraternity and sorority, health department inspections, exempt—

HB 1473, page 1425

## KNIVES

Wound inflicted by, doctor to report—

HB 563, pages 303, 799

## KYNARD, WILLIAM A.

Commended—

SJR 87, pages 2132, 2598, 2688

## LABOR

Bradford Act, relating to—  
HB 1806, pages 2284, 2863

## LABORATORIES

State Board of Health, positive test for venereal disease, to report—  
HB 85, page 30

State Board of Health, positive tuberculosis test, required to report  
to—  
HB 84, pages 30, 217, 777, 1657, 1660, 1838

Venereal disease, positive tests for, state board of health, to report  
to—  
SB 188, pages 1688, 1689

## LABOR, DEPARTMENT OF

"Director" renamed "Commissioner"  
HB 39, pages 13, 216, 775, 4141, 4159, 4498

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Filing fee, increased—  
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Membership or non-membership in, work not denied because of—  
HB 224, pages 106, 290, 785, 787, 907

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HB 1475, page 1426

## LAGOON PARK

Montgomery, city of, boundaries altered to encompass—  
HB 1157, pages 970, 1243, 1350, 1888, 1900, 1970

## LAGRANGE HISTORICAL COMMISSION

Site owned by, transferred—  
HB 662, pages 381, 1076, 1821

## LAGRANGE HISTORICAL SITE

Transferred—  
HB 662, pages 381, 1076, 1821

## LAKE GUNTERSVILLE PARKWAY

Designated—  
HJR 48, pages 257, 339, 762, 765, 798

## LAKE GUNTERSVILLE STATE PARK

Operation by state, first 3 years, requirement, deleted—  
SB 315, pages 1689, 1690, 1752, 4351, 4474

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HB 1101, pages 938, 1648

## LAMBERT, SR., THOMAS M.

Death mourned—  
HJR 189, pages 1267, 1345, 1791, 1814, 1839

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HB 156, page 69

Innocent purchasers, protection of, provided—  
HB 152, page 69

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HB 1289, pages 1145, 1242, 1349, 3847, 3907, 4115

Counties 24,000 to 24,800 population, management controls, authorized—  
HB 712, pages 398, 424, 543, 620, 1657, 1661, 1838

Counties 300,000 or less population, transfer instruments recorded in probate offices, self-indexing system, provided—  
HB 153, page 69

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Lein on tenants property, provided for—  
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Counties 60,000 to 65,000 population, terms defined—  
HB 1643, pages 1939, 2865, 3348

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HB 772, pages 451, 583, 2049, 2196, 2255, 2537, 2610

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HB 1259, pages 1124, 1650, 2196, 2256, 2538, 2685, 3069, 3236

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Users fee, provided—  
HB 767, pages 449, 584, 2537, 2685, 3069, 3204

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Excess of \$100,000, transferred—  
HB 768, pages 449, 584, 2537, 2685, 3069, 3205

Registered land surveyor; users fee, provided—  
HB 767, pages 449, 584, 2537, 2685, 3069, 3204

**LANE, MCMILLAN**

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Welcome center near, appropriation for—  
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Huguley Water System, tax exemptions—  
HB 643, pages 357, 588, 1289

LAPORTE, CHIEF FRANK R.

Commended—

HJR 12, pages 122, 267, 402, 412, 419

LARGEMOUTH BASS

Official fresh water fish, designated—

SB 308, pages 1000, 1301, 4350, 4477

LATTA, FORREST

Congratulated—

HJR 86, pages 415, 998, 1040, 1179

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Automobile tags, banks, authorized to sell—

HB 1794, pages 2265, 2463, 2711, 3656, 3696, 3857

Board of education, expense allowance, provided—

HB 1057, pages 869, 934, 1065, 2751, 2767, 2851

SB 806, pages 3033, 3041, 3862, 4161

Board of education, sick leave, to establish—

HB 1056, pages 868, 934, 1064, 2751, 2767, 2851

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Board of registrars, salary increased—

HB 1792, pages 2263, 2463, 2711, 3656, 3696, 3856

Budgetary limits, established—

SB 809, pages 3796, 3800

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Certain officials, expense allowance, provided—

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HB 1055, pages 866, 934, 1063, 2751, 2767, 2851

Coroner, expense allowance, provided—

HB 1050, pages 861, 933, 1061, 2449, 2566, 2626

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HB 273, pages 152, 583, 1789

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HB 1170, pages 1013, 1242, 1348, 2762, 2779, 2852

Taxes in regulated and provided for—

HB 1047, pages 844, 1080, 1162, 2811, 2858, 3246

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Public records, photographing of, provided—

SB 808, pages 3036, 3041, 3862, 4161

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HB 1048, pages 856, 933, 1060, 2449, 2566, 2626

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HB 1049, pages 858, 933, 1060, 2836, 2860, 3246

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HB 1053, pages 864, 934, 1062, 2453, 2606, 2627

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HB 1059, pages 873, 934, 1043, 1071, 1190, 1288, 1296

Superintendent of education and board members, election of, provided—

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County governing body, to meet with—

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HB 531, pages 297, 1081, 1292, 3877, 3989, 4116

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Communications and radio operators, subsistence allowance, provided—

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County or municipal, minimum starting wage, provided—

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Department of Conservation and Natural Resources, retirement, provided for—

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Industrial Relations Department, subsistence allowance, provided—

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Insurance—

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Killed in line of duty, survivor benefits, provided for—

SB 124, pages 1005, 1008, 1748, 4457, 4467, 4492

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Massage parlors, open to, provided—

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Obstruction of justice by hindering criminal offense, declared—

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Organize, authorized to—

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Revenue Department, Public Service Commission, Industrial Relations Department, Health Department and Insurance Department, employed by, subsistence allowance, provided—

HB 1729, pages 2044, 2876, 3667

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HB 483, pages 240, 1078

State Board of Pardons and Paroles, subsistence allowance, provided—

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HB 136, pages 66, 1082

State, county, municipal, minimum starting wage, guaranteed—

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State policemen, death of, beneficiary, coverage expanded—

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Teacher's Retirement System, open to—

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Cities 45,000 to 65,000 population, retirement fund, board of trustees, created—

HB 1573, pages 1772, 2122, 2319

Cities 250,000 or more population retirement systems, provided—

HB 802, pages 509, 1754, 1892, 2738, 2761, 2850

Municipalities 135,000 to 185,000 population, civil service merit system, provided—

HB 1915, page 2674

Municipalities 175,000 to 300,000 population chief of police, vacancy of, governing body, to appoint—

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Counties 300,000 to 500,000 population retired, pension authorized—

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In certain cases, increased—

HB 986, pages 741, 1305, 1437, 2739, 2760, 2850

Madison county, changed—

HB 1263, pages 1131, 1929, 2053, 2772, 2806, 2852

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Death mourned—

HJR 424, pages 4124, 4152, 4183, 4498

**LAWRENCE COUNTY**

Board of education, compensation and allowances, further provided—

HB 75, pages 27, 220, 327, 2774, 2764, 2850

Coroner, additional expense allowance provided—

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Department of Aeronautics, rental money from, paid to general fund of—

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Fine and forfeiture fund, abolished—

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Men who died in Vietnam, honored—

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Tornadoes, persons who lost lives, lamented—

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LAWSON, MRS. ROBERT E.

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Counties 300,000 to 600,000 population, exempt—  
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Apartments, furnished, furniture in, not subject to—  
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judges, salaries increased—  
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Cities 250,000 or more population, employees of, pension and relief fund, provided—  
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## LIVINGSTON UNIVERSITY

George C. Wallace Union Building, named—

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## LOACHAPOKA

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## LOANS

Counties, temporary, to make—

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SB 496, pages 2309, 2871, 3859, 3993, 4134

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## LOCAL GOVERNMENTAL UNITS

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## LOCAL LAWS

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HB 88, pages 30, 584, 1774, 4141, 4159, 4498

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## LONG, DR. JOHN M.

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Troy State, music building named for—  
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## LONG, MISS PAMELA KAYE

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SJR 93, page 2130

## LONGEVITY PAY

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## LOWNDES COUNTY

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HB 774, pages 451, 1744

County solicitor, expense allowance, provided—

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Roadways and driveways, maintained—

HB 1555, pages 1758, 1843, 1999, 3592, 3679

## LOWNDES COUNTY BOARD OF EDUCATION

Appropriation for new school, made—

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## LYMAN WARD MILITARY ACADEMY

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## McCORMQUODALE, JOE C.

Commended—

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## McDONALD, ISAAC B.

Commended—

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## McGOWIN, EARL M.

Congratulated—

HJR 113, pages 683, 723, 1224, 1238, 1239

## McKEE, ROBERT EARL

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HJR 201, pages 1342, 1406, 1756, 1788, 1838

## McKENZIE

Butler County, Boundary lines, extended—

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HJR 399, pages 3707, 4001, 4069, 4117

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County racing commission, created—

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Tuskegee Institute, appropriation provided—

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## MADISON COUNTY

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HB 1082, pages 883, 931, 1055, 2580, 2620, 2627

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Board of education, compensation changed—

HB 1033, pages 827, 931, 1053, 2751, 2767, 2851

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HB 770, pages 449, 930, 1049, 3590, 3676, 3854

Circuit court, general sessions court, probate court, fees changed—

HB 1032, pages 819, 931, 1052, 2751, 2767, 2851

Commission, awards committee, appointed—

HB 1598, page 1862

Commission, chairman of, compensation changed—

HB 1030, pages 817, 931, 1051, 2449, 2566, 2626

Commission, Sara Hall Gibson, relief of, provided—

HB 1029, pages 816, 931, 1051, 2450, 2566, 2626

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HB 1027, pages 814, 931, 1050, 2449, 2566, 2626

County commission, compensation changed—

HB 1037, pages 829, 931, 1053, 2751, 2767, 2851

Crimes, persons accused of, pre-trial release of—

HB 159, pages 71, 930, 1047, 3625, 3802, 3882, 3902, 4067, 4117

Delinquent taxpayers, notice given to, provided for—

HB 1464, pages 1420, 1471, 1926, 2068, 3588, 3677, 3854

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District attorneys fund, \$1000.00 transferred from, to general fund of said county—

HB 1849, page 2484

Elected officials salary commission, commended—

HJR 88, pages 431, 537, 998, 1040, 1179

General sessions court, small claims division, added to—

SB 769, pages 3001, 3004, 3865, 4169, 4384

Law library tax, changed—

HB 1263, pages 1131, 1929, 2053, 2772, 2806, 2852

Lawsuits against employees of the county—

HB 766, pages 448, 928, 930, 1049, 3590, 3676, 3854

Legislative aide, provided—

HB 1597, pages 1861, 1930, 2054, 3645, 3693, 3856

**MADISON COUNTY (Continued)**

License department, director of, authorization of—

HB 751, pages 443, 930, 1048, 1102, 1161, 1165, 1227, 1272, 1347, 1929, 2052, 3590, 3676, 3854

Massage parlors, regulated—

HB 1262, pages 1126, 1471, 1720, 3586, 3681

Pistol license fee, changed—

HB 1034, pages 828, 931, 1053, 2793, 2794, 2861, 3247

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HB 910, pages 659, 931, 1050, 2746, 2777, 2851

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Sheriff, compensation changed—

HB 1028, pages 815, 931, 1051, 2453, 2568, 2626

Tax assessor, compensation changed—

HB 1039, pages 831, 931, 1054, 2751, 2767, 2851

Tax assessor, reimbursed for travel expenses—

HB 1264, pages 1132, 1720, 3644, 3698, 3857

Tax collector, compensation changed—

HB 1038, pages 830, 931, 1054, 2751, 2767, 2851

Traffic violations, fines and forfeitures from, provided further for—

HB 158, pages 70, 2630, 3078

Warrant magistrate, office of, established—

HB 160, pages 74, 930, 1048, 2748, 2765, 2851

**MADISON COUNTY COMMISSION**

Lawsuits against employees of the county—

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**MADISON COUNTY LICENSE DEPARTMENT**

Director of, authorization of—

HB 751, pages 443, 930, 1048, 1102, 1161, 1165, 1227, 1272, 1347, 1929, 2052, 3590, 3676, 3854

**MADISON COUNTY SHERIFF'S MOUNTED POSSE**

Work of, appreciated—

HJR 25, pages 207, 267, 402, 412, 419

**MAHONEY, MR. AND MRS. GEORGE V.**

Congratulated—

HJR 133, pages 921, 972, 1225, 1238, 1239

**MAILS**

Unsolicited merchandise received through, recipient allowed to use—

HB 1497, pages 1504, 1923, 3070, 3384

**MALBIS PLANTATION PARKWAY**

Named—

HJR 378, page 3140

**MALLS**

Over 40,000 square feet, public restroom facilities, constructed and maintained—

HB 437, pages 203, 1467

**MALONE, KEN**

Congratulated—

HJR 194, pages 1270, 1481, 1497, 1647

**MALPRACTICE**

Patients compensation board, established—

HB 300, pages 164, 1750, 2049, 2195, 2223, 2245, 3182, 3248, 3454

**MALT OR BREWED BEVERAGES**

Counties 90,000 to 100,000 population, board of education, to borrow against revenue from—

HB 1172, pages 1014, 1122, 1229, 2797, 2859, 3246

Counties 90,000 to 100,000 population, privilege license tax on, levied—

SB 1237, page 3642

**MAMMALS**

Alabama Marine Mammal Protection Act of 1975, created—

HB 502, page 244

**MARENGO COUNTY**

Judge of probate, expense allowance provided—

HB 301, pages 164, 220, 329, 1657, 1661, 1838

Probate judge, tax assessor, tax collector, sheriff, circuit clerk, offices, equipment provided—

HB 1894, pages 2654, 2866, 3352, 3937, 3986, 4116

Rehabilitation board, established—

HB 1459, pages 1415, 1469, 1714, 2773, 2807, 2852

**MARINE ENVIRONMENTAL SCIENCES CONSORTIUM**

Created, appropriation provided—

HB 1718, page 2042

SB 526, pages 1685, 1921, 3860, 3912

**MARINE MAMMALS**

Provided for—

HB 1102, pages 938, 1002

**MARION COUNTY**

Appropriation, Ray Howell, relief of—

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Appropriation, Ronnie Cook, relief of—

HB 599, pages 347, 380, 467, 2442, 2596, 2627

Circuit court register, compensated—

SB 773, pages 3031, 3041, 3465, 3754, 3926

## MARION COUNTY (Continued)

Clerk of the court, additional compensation, provided—  
HB 597, pages 345, 380, 466, 2452, 2605, 2627

Courts, secretary provided—  
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## MARION INSTITUTE

Appropriation to—  
HB 476, pages 236, 1744, 1919, 1990, 4393, 4483, 4499

## MARK PAULIN

Vestavia Hills, Roland L. Paulin, expenses because of injury, to  
pay—  
HB 970, pages 731, 1305, 1434, 2445, 2548, 2625

## MARLER, MRS. BEULAH

Illness of, regretted—  
HR 195, pages 1271, 1345

## MARSHALL COUNTY

Bail bondsmen, qualifications prescribed—  
SB 1193, pages 3336, 3343, 3468, 3764, 3929

Board of registrars, funds provided for office of—  
SB 1196, pages 3339, 3344, 3468, 3766, 3930

Board of registrars, voter registration, to hold twice a year at each  
school—  
HB 1800, pages 2275, 2464, 2714, 3659, 3700, 3857

Bobby Joe King, relief of, provided—  
HB 440, pages 206, 293, 369, 2448, 2565, 2626

Circuit court register, compensated—  
SB 1203, pages 3322, 3334, 3469, 3769, 3931  
SB 1215, pages 3290, 3306, 3470, 3773, 3932

Circuit judges, supplemental salary, provided—  
SB 1213, pages 3332, 3334, 3470, 3772, 3932

County court judge, compensation fixed—  
SB 1235, pages 3314, 3318, 3472, 3782, 3935, 4074

County officers, clerk-hire allowance, provided—  
SB 1200, pages 3319, 3334, 3468, 3767, 3930

County superintendent of education, salary of—  
HB 439, pages 205, 293, 368, 1656, 1661, 1838, 1846, 2139, 2202, 2253

County wide rural sanitation board, created—  
HB 1845, pages 2472, 2641, 3088, 3852, 3903, 4115

Court reporter, compensated—  
SB 1205, pages 3324, 3334, 3469, 3769, 3931

Court reporters of 27th judicial circuit, compensation increased—  
SB 1236, pages 3315, 3318, 3472, 3782, 3935

Employment and salary of a communications and information spe-  
cialist in the sheriff's department—  
HB 1927, pages 2882, 3260, 3550, 3995, 4064, 4117

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Governing body, expense allowance, provided—  
SB 1207, pages 3326, 3334, 3469, 3770, 3931

Jury commission and board of registrars, expense allowance, provided—  
SB 1198, pages 3341, 3344, 3468, 3767, 3930

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Motor vehicle tags, issued by mail—  
SB 535, pages 2994, 3004, 3465, 3750, 3926

Pistol permits, fee fixed—  
SB 1223, pages 3299, 3306, 3470, 3777, 3933

Probate judge, expense allowance, provided—  
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Probate judge, tax assessor, tax collector, clerk hire allowance provided—  
HB 1933, pages 2884, 3260, 3551, 3996, 4064, 4117

Rescue squads, funded—  
SB 1229, pages 3305, 3306, 3471, 3779, 3934

Savings and loan associations, branch offices, to establish—  
SB 1191, pages 3334, 3343, 3468, 3764, 3929

School bus drivers, sick leave, increased—  
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Sheriffs deputies, compensated—  
SB 1221, pages 3296, 3306, 3470, 3776, 3933

Sheriff, expenditures, to make—  
SB 1234, pages 3313, 3318, 3472, 3781, 3934

Sheriffs office, employees regulated—  
SB 290, pages 2917, 2925, 3464, 3749, 3925

Sheriffs office, number of employees, regulated—  
SB 946, pages 3020, 3030

Superintendent of education, expense allowance, provided—  
SB 1225, pages 3301, 3306, 3471, 3777, 3933

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SB 1232, pages 3309, 3318, 3471, 3780, 3934

## MARTIN, GARRY

Congratulated—  
SJR 55, pages 1223, 1344, 1406

## MARTIN LUTHER KING

Birthday of, to be state holiday—  
HB 264, page 148

## MARTIN, MR. AND MRS. A. M.

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## MARY JEANETTE DAY

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## MASSAGE PARLORS

Cleburne county, regulated—  
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Madison county, regulated—  
HB 1262, pages 1126, 1471, 1720, 3586, 3681

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## MASSEY, MISS JACQUELYN

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## MATHEWS, DR. DAVID

Commended—  
HJR 138, pages 1003, 1480, 1497, 1647  
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Invited to Legislature—  
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## MAYOR

Existing statutory ceiling on salary, removed—  
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Inmates, release of, provided—  
HB 411, pages 197, 582, 702, 895

Jefferson county, compensation, fixed—  
HB 1178, pages 1017, 1306, 1440, 2446, 2549, 2626

Jefferson county municipalities, compensation fixed—  
SB 695, pages 3008, 3009

Powers and duties of, provided for—  
HB 1301, pages 1150, 2007, 2220, 3644, 3699, 3857

Cities 22,000 to 25,000 population, term of office, fixed—  
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Cities 30,000 to 33,000 population, election of—  
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Municipalities 300,000 or less, pardon and parole power of, pre-  
served—  
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## MAYOR—COUNCIL FORM OF GOVERNMENT

Cities 40,000 to 45,000 population, provided for—  
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**MAYOR-COUNCIL FORM OF GOVERNMENT (Continued)**

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Animals, slaughtered, inspection of, provided—

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**MECHANICS AND MATERIALMAN'S LIEN**

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**MEDICAL EDUCATION—**

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Counties 24,900 to 25,150 population, to construct—

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**MEDICAL SERVICES**

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Civil service, every county and city, provided for—  
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HJR 29, pages 209, 267, 402, 412, 419

Huntsville—Madison County Public Library, commended—  
HJR 145, pages 1074, 1159, 1480, 1496, 1647

Huntsville Senior High School, congratulated—  
HJR 343, pages 2580, 3904, 4107, 4142, 4498

Hurst, Mrs. Florence C., commended—  
HJR 108, pages 617, 685, 723  
HJR 115, pages 687, 723, 1224, 1238, 1239

Interim Committee to Study Distribution of Funds to Educational  
Institutions—  
HJR 421, pages 4077, 4155, 4160, 4484, 4491, 4496, 4497, 4500

Interim Committee to Study Funding of State Agencies, created—  
HR 432, page 4151

Interim Committee to Study Merit System, created—  
HJR 137, pages 986, 1197

Interim Committee, to Study Sunday Closing Laws, created—  
HJR 116, pages 688, 719, 1646, 1659, 1838, 2133

Interim Committee to Study Tax Structure, created—  
HJR 430, pages 4148, 4391, 4403, 4480, 4496, 4497, 4499

Interim committees, provided for—  
SJR 135, page 3628

Interim Firefighters Pension Fund Committee, created—  
SJR 162, page 4428

Interim Study Committee on Low Income Housing, created—  
HJR 410, pages 3860, 4002, 4069, 4117, 4496, 4497

Interstate and Federal Program, to use prisoner labor to build a  
canal, developed—  
HJR 395, pages 3573, 3628, 3859

## RESOLUTIONS (Continued)

- Isabella High School basketball team, commended—  
HR 13, page 122
- Jackson, Dwight M., death mourned—  
HJR 251, pages 1847, 2600, 2835, 2862, 3246
- Jackson, Emory O., death mourned—  
HJR 348, page 2616
- Jackson, Frank, return of, welcomed—  
HJR 21, pages 136, 404, 413, 419
- Jackson, Representative, happy birthday, wished—  
HJR 131, pages 892, 972, 1225, 1238, 1239
- Jackson, Ronald E., commended—  
HJR 332, pages 2412, 2601, 2836, 2863, 3247
- James, Jr., General Daniel, commended—  
HJR 125, pages 889, 972, 1225, 1238, 1239
- Jayne, Nellie Irene Jones, honored—  
HJR 238, pages 1783, 1847, 2222, 2244, 2253,
- Jefferson County Commission and Water Board, rates, requested to revise—  
HJR 338, pages 2504, 4002, 4069, 4117
- Joe Wheeler State Parkway, designated—  
SJR 92, pages 2130, 2245
- John Jones Elementary School, lady volunteers, commended—  
SJR 41, pages 999, 1217
- Johnson, Judge Frank M., commended—  
HJR 280, pages 2077
- Johnstone, Douglas Inge, honored—  
HR 437, page 4342
- Joint Committee for Hospital Medical Insurance—  
HJR 253, pages 1910, 2048, 2093
- Joint Committee to Study Fairhope Single Tax Corporation—  
HJR 326, page 2407
- Joint Committee to Study Hospital-Medical Insurance, created—  
SJR 98, pages 2132, 2682, 3791, 3925, 4495, 4496
- Joint Committee to Study Interstate and Intrastate Highway Safety, continued—  
HJR 59, pages 264, 338
- Joint Committee to Study Medicaid, extended—  
HJR 170, pages 1176, 1790, 1815, 1839
- Joint Committee to Study Medicare, created—  
HJR 17, pages 134, 1238, 1239
- Joint Continuing Prison and Penal System Study Committee, created—  
HJR 324, pages 2309, 2683

## RESOLUTIONS (Continued)

Joint Interim Committee to Study Agricultural Chemical Products, created—

SJR 101, pages 2128, 2255, 2444, 4495, 4496

Joint Interim Committee to Study Criminal Code, created—

HJR 368, pages 3062, 3897, 3990, 4116, 4496, 4497

Joint Interim Committee to Study Fairhope Single Tax Corporation, created—

SJR 128, pages 2777, 3087, 3127, 4495, 4497

Joint Interim Committee to Study Financing of Jefferson County Health Department and Transit Authority, created—

SJR 161, pages 4264, 4476

Joint Interim Committee to Study Parks, extended—

HJR 180, pages 1228, 1345

Joint Interim Committee to Study Probate Law, created—

HJR 140, pages 1039, 1790, 1813, 1839, 4496, 4497

Joint Interim Committee to Study Real Estate Laws, created—

HJR 139, pages 1004, 1198, 2795, 2862, 3246, 4496, 4497

Joint Interim Committee to Study Rules of the Road and Vehicular Traffic, created—

HJR 441, pages 4433, 4442, 4489, 4500

Joint rule 14, amended—

HJR 120, page 760

Joint rule 15, proposed—

HJR 121, pages 766, 3379, 3388, 3454

Joint Session of Legislature, held—

HJR 184, pages 1243, 1291, 1295, 1299

Joint Session to be held—

HJR 14, page 126

Joint Study Committee, to study medicare—

SJR 14, pages 318, 338, 467, 614

Joint Supernumerary Study Committee, created—

HJR 392, pages 3472, 4156

Jones, Daryl, commended—

HJR 158, pages 1154, 1344, 1791, 1813, 1839

Jones, Wayne, commended—

HJR 152, pages 1085, 1159, 1480, 1496, 1647

Jordan, James V. "Jake", honored—

SJR 142, pages 3787, 3936

Judicial Article Technical Consultant, provided—

HJR 156, pages 1115, 1790, 1815, 1839

Justices of the Supreme Court, advisory opinion on HB 306, requested—

HR 87, page 418

Key Club, congratulated—

HJR 146, pages 1082, 1480, 1497, 1647

## RESOLUTIONS (Continued)

- Key, Doug, commended—  
HJR 68, pages 313, 364, 685, 708, 718
- Kidd, Miss Eloise, congratulated—  
HJR 44, pages 225, 320, 403, 413, 419
- Kilby Corrections Facility, named—  
HJR 329, pages 2410, 3379, 3388, 3454  
SJR 118, page 2455
- Kilgore, James Hubert, death mourned—  
HJR 277, pages 2064, 2222, 2245, 2253
- Killian, Roger, congratulated—  
HR 418, page 3984
- Kirk, Johnny B., congratulated—  
HJR 41, pages 223, 320, 403, 413, 419
- Kissinger, Dr. Henry, Legislature to adjourn in time to hear address by—  
HJR 220, page 1458
- Kissinger, Dr. Henry, welcomed to Alabama—  
HJR 233, page 1692
- Kynard, William A., commended—  
SJR 87, pages 2132, 2598, 2688
- Lake Guntersville Parkway, designated—  
HJR 48, pages 257, 339, 762, 765, 798
- Lambert, Thomas M., death mourned—  
HJR 189, pages 1267, 1345, 1791, 1814, 1839
- Lane, McMillan, congratulated—  
HJR 336, pages 2502, 2735, 2774, 2851  
SJR 114, pages 2455, 3268, 3409
- Laporte, Chief Frank R., commended—  
HJR 12, pages 122, 267, 402, 412, 419
- Latta, Forrest, congratulated—  
HJR 86, pages 415, 998, 1040, 1179
- Lawley, Regionald Wilton, death mourned—  
HJR 424, pages 4124, 4152, 4183, 4498
- Lawrence County, men who lost lives in Vietnam, honored—  
HJR 288, pages 2144, 2598, 2835, 2863, 3247  
HJR 289, pages 2145, 2598, 2835, 2863, 3247
- Lawson, James, commended—  
HJR 157, pages 1153, 1344, 1791, 1813, 1839
- Lawson, Mrs. Robert E., death mourned—  
HJR 11, pages 121, 267, 402, 412, 418
- Lee, Coach Pete, death mourned—  
HJR 81, pages 377, 686, 709, 718  
SJR 27, pages 405, 464, 614
- Lee High School Confederettes, commended—  
HJR 265, pages 1987, 2601, 2835, 2862, 3246

## RESOLUTIONS (Continued)

- Lee, Marcius Bruce, death mourned—  
HJR 83, pages 399, 429, 998, 1039, 1179
- Legislature to recess—  
HJR 3, page 4
- Legrand, Jack, commended—  
HJR 153, pages 1086, 1159, 1481, 1496, 1647
- Limbaugh, Miss Lynn, thanked—  
HR 160, pages 1155, 1345
- Littleton-Smith Bill, named—  
HJR 426, pages 4127, 4152, 4184, 4498
- Lobbyists, strong arm tactics, to refrain from using—  
HJR 366, page 3060
- Local bills, rule change relating to—  
HR 428, page 4138
- Long, Dr. John M., commended—  
HJR 32, pages 211, 267, 403, 412, 419
- Long, Miss Pamela Kaye, commended—  
HJR 106, pages 616, 1224, 1237, 1239
- Long-Range Highway Development Study Committee, created—  
SJR 93, page 2130
- McCorquodale, Joe C., commended—  
HR 316, page 2197
- McDonald, Isaac B., commended—  
HJR 202, pages 1343, 1406, 1756, 1788, 1838
- McGowin, Earl M., congratulated—  
HJR 113, pages 683, 723, 1224, 1238, 1239
- McKee, Robert Earl, commended—  
HJR 201, pages 1342, 1406, 1756, 1788, 1838
- McMillan-Hines-Dial Act, named—  
HJR 399, pages 3707, 4001, 4069, 4117
- Madison county elected officials salary commission, commended—  
HJR 88, pages 431, 537, 998, 1040, 1179
- Madison county sheriff's mounted posse, work of, appreciated—  
HJR 25, pages 207, 267, 402, 412, 419
- Mahoney, Mr. and Mrs. George V., congratulated—  
HJR 133, pages 921, 972, 1225, 1238, 1239
- Malbis Plantation Parkway, named—  
HJR 378, page 3140
- Malone, Ken, congratulated—  
HJR 194, pages 1270, 1481, 1497, 1647
- Marler, Mrs. Beulah, illness of, regretted—  
HR 195, pages 1271, 1345
- Martin, Garry, congratulated—  
SJR 55, pages 1223, 1344, 1406

## RESOLUTIONS (Continued)

Martin, Mr. and Mrs. A. M., congratulated—  
HR 360, page 2786

Massey, Miss Jacquelyn Elaine, commended—  
HJR 264, pages 1986, 2222, 2244, 2253  
SJR 46, pages 999, 1101, 1217

Mathews, Dr. David, commended—  
HJR 138, pages 1003, 1480, 1497, 1647  
HR 171, page 1181  
SJR 50, pages 994, 1101, 1217

Mathews family, invited to Legislature—  
HR 144, page 1073

Medicare and Medicaid, Joint Interim Committee, to Study continued—  
HJR 405, page 3784

Mehaffey, Mrs. Lloyd L., congratulated—  
HJR 91, pages 476, 537, 998, 1040, 1179

Merrill, Hugh, commended—  
HJR 168, pages 1173, 1481, 1496, 1647

Mildred Casey Drive, named—  
HJR 237, page 1773

Mitchem, Hinton, congratulated—  
HR 206, pages 1368, 1396, 1397, 1400, 1693

Moore, John, commended—  
HR 155, page 1112

Moore, Mrs. Lucy Blackburn, death mourned—  
HJR 266, pages 1987, 2601, 2835, 2862, 3246

Morgan, Roy B., honored—  
HJR 22, pages 136, 402, 412, 419, 1693

Morgan, Thomas W., commended—  
SJR 86, pages 2132, 2598, 2688

Morton, Mrs. Ellen, speedy recovery, wished—  
HR 386, page 3266

Mountain Brook High School, commended—  
HR 49, page 258

Murray, Frances, praised—  
HR 346, pages 2609, 3269

Newman, Marion, commended—  
HJR 215, pages 1428, 1693, 1889, 1900, 1917

Noles, Mr. and Mrs. E. C., commended—  
HR 130, pages 891, 972

Northwest Huntsville League All-Star Team, congratulated—  
HR 362, page 2790

Oliver, Melissa, congratulated—  
HJR 52, pages 259, 320, 403, 413, 419

## RESOLUTIONS (Continued)

Owens, Randy G., death mourned—

HJR 174, pages 1218, 1344, 1791, 1814, 1839

HR 199, page 1341

Painter, Captain Willie B., death mourned—

SJR 16, pages 404, 463, 614

Panama Canal, Congress and President urged not to relinquish—

HJR 109, pages 618, 1790, 1815, 1839

Parker, Sandra, congratulated—

HJR 164, pages 1157, 1345, 1791, 1813, 1839

Patterson, Dr. Frederick D., commended—

HJR 391, pages 3396, 3473, 3577, 3684

Peach pie, official state dessert, named—

HJR 207, page 1369

Pearson, Senator, congratulated—

SJR 149, pages 3901, 4128, 4191

Pearson, W. Francis, death mourned—

SJR 104, pages 2849, 3269, 3456

Pemberton, John William, praised—

HR 436, page 4273

People of Alabama, thanked—

SJR 33, pages 688, 723, 780

Perloff Boulevard, named—

HJR 402, pages 3710, 4156, 4203, 4204

Perry, William Reid, death mourned—

HJR 267, pages 2002, 2143, 2201, 2253

Phenix City Exchange Club, commended—

SJR 54, pages 1223, 1344, 1406

Phenix City Jaycees and Jaycettes, commended—

SJR 10, pages 405, 464, 614

Phenix City Lions Club, commended—

HJR 67, pages 312, 364, 685, 708, 718

Philpott, Doctor Harry M., honored—

HJR 275, pages 2047, 3379, 3388, 3454

Physicians for the day, thanked—

HJR 411, page 3881

Pickens, Michael J., commended—

HR 248, pages 1844, 2600

Pierce, Dean, commended—

HJR 350, pages 2617, 3269, 3853, 3924, 4116

SJR 131, pages 3345, 3577, 3722

Pinkard, Ezekial, death mourned—

HJR 245, pages 1836, 1847, 2222, 2244, 2253

Pinkston, Rubye L., commemorated—

HR 300, pages 2150, 2599



## RESOLUTIONS (Continued)

- Point Mallard Parkway, designated—  
SJR 95, pages 2127, 2245
- Pope, Victoria, commended—  
HJR 406, pages 3785, 4002, 4069, 4117
- Postage, paid—  
HJR 296, pages 2148, 2684, 4398
- Poultry Products Week, declared—  
HJR 84, pages 400, 421, 538, 540, 574
- Prattville Senior Babe Ruth team, commended—  
HJR 242, pages 1819, 1847, 2222, 2244, 2253
- Price, Dr. Cecil Eugene, death mourned—  
HJR 212, pages 1401, 1757, 1788, 1838
- Pride, Joyce Williamson, death mourned—  
HR 82, pages 399, 429
- Prince, Bill, commended—  
HR 262, pages 1936, 2601
- Printing and Binding Acts of 1975, provided—  
HJR 147, pages 1083, 1223, 1237, 1239
- Quarles, Mrs. Marilyn, approved to attend conference—  
HJR 39, pages 222, 339, 406, 414, 419
- Racking horse, official state horse, designated—  
SJR 106, pages 2837, 4157, 4386
- Randolph county poll workers, commended—  
HR 192, pages 1269, 1345
- Randolph county school bus drivers, commemorated—  
HR 34, pages 212, 267
- Recess, resolution motion to—  
HR 379, page 3147
- Redmon, Mr. and Mrs. N. B., commended—  
HR 292, pages 2146, 2599
- Reese, Dr. Waymon, commended—  
HJR 28, pages 209, 267, 402, 412, 419
- Regan, D. J., commended—  
HR 273, pages 2046, 2600
- Reich, Bobby, death mourned—  
SJR 81, pages 2131, 2598, 2688
- Retired Teachers Association of Randolph County, recognized—  
HR 36, pages 213, 267
- Rice, Sr., Walter L., death mourned—  
HJR 162, pages 1156, 1345, 1791, 1813, 1839
- Richardson, Mr. O. R., death mourned—  
HR 361, pages 2787, 3269
- Rickey, Michael, congratulated—  
HJR 63, pages 311, 364, 685, 708, 718

## RESOLUTIONS (Continued)

Rickwood Caverns State Park Scenic Drive, named—  
SJR 157, pages 4127, 4191

Ridgeway, E. J., commended—  
HR 314, pages 2157, 2599

Ridley Road, designated—  
HJR 62, pages 310, 338, 406, 414, 419

Right to bear arms—  
HJR 79, pages 363, 421, 762, 765, 798

Roanoke Packing Company, commemorated—  
HR 312, pages 2156, 2599

Robert E. Lee High School baseball team, congratulated—  
HJR 50, pages 258, 320, 403, 413, 419

Robey, Mrs. Lucinda Brown, death of, mourned—  
HJR 117, pages 752, 894, 1224

Ronsisvalle, Dan, commended—  
HR 252, pages 1909, 2600

Rule 48, deleted—  
HR 15, page 131

Rule change relating to—  
HR 429, page 4147

Russell Corporation, commended—  
HR 143, page 1073  
SJR 60, pages 1223, 1344, 1406

Ryan, Mrs. Jessie, congratulated—  
HJR 151, pages 1085, 1159, 1480, 1496, 1647

SJR 13, 3rd Special Session, 1975, repealed—  
HJR 65, page 312

SJR 39, 3rd Special Session 1975, amended—  
SJR 156, pages 3983, 4135

Sampley, Mrs. J. J., commended—  
HJR 214, pages 1427, 1693, 1889, 1899, 1917

Sargent, Marty, congratulated—  
HJR 70, pages 314, 364, 686, 709, 718

Satterfield, Marlin G., death mourned—  
HJR 235, pages 1755, 1847, 2222, 2244, 2253

Sawtell, Clement C., thanked—  
SJR 15, pages 319, 365, 467

Scrivner, Miss Pauline, library named—  
HJR 60, pages 265, 338, 762, 765, 798

Secretary of Agriculture, pesticides, bans on, to review—  
HJR 393, page 3473

Secretary of State, Central Computer Registration System, to establish—  
HJR 355, pages 2678, 3067, 3629

## RESOLUTIONS (Continued)

Select Committee to Provide Funding for Prison System, created—  
HJR 240, pages 1813, 2048, 2092  
HJR 241, page 1819

Sellars, J. D. "Josh", congratulated—  
HJR 56, pages 262, 320, 403, 413, 419

Senate Bill 325, named—  
HJR 325, pages 2340, 2436, 2607, 2627

Senate, challenged to baseball game—  
HR 20, page 135

Senate notified House is in session—  
HR 1, page 4

Senators, John Sparkman, Jim Allen, and Representatives, Robert Jones and Tom Beville, commended—  
HJR 412, page 3906  
SJR 150, pages 3899, 4157, 4386

Shannon, Harper, commended—  
HR 246, pages 1843, 2600

Shaw, Sue, commended—  
HR 427, pages 1844, 1917

Sides, Lawrence, congratulated—  
HJR 73, pages 316, 365, 686, 709, 718

Smee, Mrs. Emma Lee Jackson, commended—  
HJR 177, pages 1219, 1344, 1791, 1814, 1839

Smith, Ann, congratulated—  
HJR 272, pages 2046, 2600, 2835, 2862, 3247

Smith, Frank L., commended—  
HR 263, pages 1948, 2601

Smith, Martha Whit Burleson, death mourned—  
HJR 243, pages 1820, 1847, 2222, 2244, 2253

Smith, Miss Mildred, honored—  
HJR 190, pages 1268, 1481, 1497, 1647

Smith, Mr. and Mrs. Attley C., congratulated—  
HJR 42, pages 224, 320, 403, 413, 419

Smith, Mrs. Hattie, commended—  
HJR 167, pages 1172, 1345, 1791, 1814, 1839

Smith, Mrs. Zula Estelle, death mourned—  
HR 349, page 2616

Snider, Eugene V., commended—  
HR 274, pages 2047, 2600

Snow, Hewitt Artman, bridge named—  
HJR 384, page 3251

Sonnier, Nat, selected to represent Legislature at conference—  
HJR 123, pages 785, 1001, 1480, 1497, 1647

## RESOLUTIONS (Continued)

Space flight, requesting bills be read, on—  
HJR 126, page 889

Sparkman, Senator, support asked—  
SJR 30, pages 405, 420, 614

Speaker of the House, urged to appoint committee to meet with  
A.E.A.  
HR 209, pages 1398, 1400

Special Order Calendar—  
HR 208, pages 1396, 1397  
HR 221, page 1496  
HR 256, page 1919  
HR 276, page 2048  
HR 315, page 2195  
HR 317, page 2255  
HR 341, page 2536  
HR 356, page 2684  
HR 374, pages 3066, 3071  
HR 389, page 3381  
HR 409, pages 3859, 3860  
HR 433, page 4157

Sport, Dow, commended—  
HR 94, page 504

Starr, Mr. Ben, honored—  
HJR 93, pages 503, 999, 1040, 1179

Star Spangled Singers, commended—  
HJR 258, pages 1934, 2600, 2835, 2862, 3246

Star Spangled Singers, invited to perform—  
HJR 223, pages 1637, 1790, 1814, 1839

State Fort and Historic Trail Council, created—  
HJR 370, pages 3064, 4002, 4069, 4117  
HJR 388, page 3267

State Merit System, reduced by attrition—  
HR 188, page 1267

State Parks, Joint Interim Committee on, time of reporting, extended—  
SJR 68, pages 1481, 1658

State Personnel Department racial codes in hiring, not to use—  
HR 416, page 3937

Still, Glenn, commended—  
HJR 54, pages 260, 320, 403, 413, 419

Summerville-Wagnon Extension Retirement Act of 1975, named—  
SJR 148, pages 3900, 4156, 4386

Sumter county, saluted—  
HJR 57, pages 262, 320, 404, 413, 419

Sunday Closing Laws, Joint Committee to Study, continued—  
HJR 347, pages 2615, 2684

## RESOLUTIONS (Continued)

- Supreme Court, advisory opinion relative to H. B. 139, requested—  
HR 118, page 753
- Swann, Gerald Earl, death mourned—  
HJR 359, pages 2741, 3269, 3850, 3924, 4116
- Sylacauga Little League All-Stars, congratulated—  
HJR 210, pages 1399, 1757, 1788, 1838
- Tannehill State Park, Folk Life Center, designated—  
SJR 21, pages 405, 420, 614
- Tennessee—Tombigbee Waterway Development Authority, commended—  
HJR 205, pages 1346, 1792, 1814, 1839  
SJR 70, pages 1482, 1693, 1890
- The Alabama Center for Triticale Research, named—  
HJR 345, page 2594
- The Phenix Citizen, commended—  
HJR 216, pages 1428, 1693, 1889, 1900, 1917
- Thigpen, Richard, commended—  
HR 219, pages 1456, 1693  
SJR 59, pages 1482, 1693, 1890
- Thomas, Grace, speedy recovery, wished—  
SJR 138, pages 3789, 3936
- Thomas, Mr. and Mrs. Ralph, commended—  
HR 291, pages 2146, 2599
- Tice, Emmett E., congratulated—  
HJR 30, pages 210, 267, 402, 412, 419
- Todd, Denise, congratulated—  
HJR 287, pages 2144, 2598, 2835, 2863, 3247
- Todd, Mike, commended—  
HJR 186, pages 1266, 1345, 1791, 1814, 1839
- Townsend Sr., Mrs. S. Vincent, death mourned—  
HJR 278, pages 2065, 2222, 2245, 2253
- Traylor, Cynthia, congratulated—  
HR 309, pages 2154, 2599
- Troxler, John A., commended—  
HJR 185, pages 1265, 1345, 1791, 1814, 1839
- Tuesdays and Thursdays, House to meet on—  
HR 134, pages 934, 1001
- Turner, Frank G., commended—  
SJR 17, pages 405, 464, 614
- Tuscumbia Senior League All-Stars, commended—  
HJR 339, pages 2504, 3269, 3853, 3923, 4116
- Udell, Mrs. Edna Betty, death mourned—  
SJR 109, pages 2850, 3269, 3456
- Underwood, Mr. and Mrs. N. B., congratulated—  
HJR 415, pages 3911, 4122, 4143, 4498

## RESOLUTIONS (Continued)

- United States Corp of Engineers urged to cease enforcement of 800 ft. limit below hydroelectric dams—  
HJR 183, pages 1236, 1345
- University of Alabama Center for Business and Economic Research, Alabama League of Municipalities, Alabama Development Office, Alabama State Chamber of Commerce, thanked—  
HJR 376, pages 3102, 4001, 4069, 4117
- Vacca, Pat, happy birthday, wished—  
SJR 111, pages 2306, 2601, 2688
- Vaughn, Cecil, speedy recovery, wished—  
HR 230, pages 1662, 1773
- Vaughn, Miss Anita Sue, commended—  
HJR 107, pages 617, 1224, 1237, 1239
- Voters of the state, commended—  
HJR 97, pages 506, 999, 1040, 1179
- Wallace, Mrs. Cornelia, congratulated—  
HJR 364, pages 2831, 3269, 3850, 3924, 4116
- Wallis, Mrs. Helen Robbs, death of, mourned—  
HJR 96, pages 505, 619, 1224, 1237, 1239
- Warner, Mr. Herbert, death mourned—  
HR 179, page 1220  
SJR 62, pages 1482, 1693, 1890
- Washington, Kenny, death mourned—  
HJR 43, pages 224, 320, 403, 413, 419
- WBAM "All American" basketball team, commended—  
HJR 10, pages 120, 267  
SJR 5, pages 404, 464, 613
- Webb, John L., commended—  
HJR 407, pages 3813, 3905, 4121, 4142, 4498
- Whaley, Rev. Terrell, recovery, wished—  
HR 75, pages 317, 365
- White, Maurice, memorialized—  
HJR 281, pages 2088, 2223, 2245, 2253
- Wiley, Dan, commended—  
HJR 286, pages 2143, 2598, 2835, 2863, 3247
- Wilkins, Taylor, commended—  
HJR 53, pages 260, 364, 685, 708, 718
- Williams, Dr. Reddoch E., commended—  
SJR 43, pages 999, 1101, 1217
- Williams, Miss Wanda, complimented—  
HJR 8, pages 119, 267, 402, 411, 418
- Wilson, Mrs. Inis, commemorated—  
HR 301 pages 2150, 2599
- Wives of members of the House, floor privileges, given—  
HR 417, page 3939

## RESOLUTIONS (Continued)

WKLF-WEZZ, congratulated—

HJR 249, pages 1844, 2600, 2835, 2862, 3246

Wood, Cathy, congratulated—

HJR 269, pages 2003, 2601, 2835, 2862, 3247

Workmen's Compensation Bargaining, those to participate, compensated—

HR 5, page 5

Young, Mr. and Mrs. J. R., commended—

HR 129, pages 891, 972

Ziglar, Mrs. C. T., commemorated—

HR 313, pages 2156, 2599

## RESORT FACILITIES

Department of Conservation and Natural Resources, operated by, skilled personnel, to hire—

HB 1538, pages 1676, 1752, 2197, 2256, 2538, 2686, 3069, 3383

HB 1539, page 1676

## RESOURCE RECOVERY TASK FORCE

Created—

HB 1805, page 2284

## RESTROOMS

Public, stores over 40,000 sq. ft., construction and maintenance—

HB 437, pages 203, 1467

## RETAIL STORES

Over 40,000 sq. ft., public restroom facilities, constructed and maintained—

HB 437, pages 203, 1467

## RETARDED CHILDREN

Profoundly, Alabama Exceptional Child Education Act, included under—

HB 1206, pages 1030, 2864

## RETARDED PERSON

Severely, parent or guardian, income tax exemption—

HB 1207, page 1030

## RETIRED EMPLOYEES

Benefits, improved—

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## RETIRED PERSONS

Chambers county, to be employed by county—

HB 258, pages 144, 220, 328, 365, 2744, 2775, 2851

## RETIRED TEACHERS ASSOCIATION OF RANDOLPH COUNTY

Recognized—

HR 36, pages 213, 267

**RETIREMENT**

Conservation law enforcement officers, provided for—  
HB 1401, pages 1258, 1472, 1725, 3849, 3907, 4115

Shelby county employee's fund appropriated for—  
HB 983, pages 738, 928, 1042, 2453, 2568, 2626

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Cities 9,200 to 9,400 population, elected officials, provided—  
HB 1722, pages 2043, 2126, 3335, 3648, 3692, 3856

**RETIREMENT BENEFITS**

Elected officials, provided—  
HB 377, pages 191, 500, 628, 3603, 3691, 3856

**RETIREMENT FUNDS**

Gadsden, city of, policemen's and firemen's, Board of Trustees,  
created for—  
HB 1848, pages 2473, 2636, 3081, 3945, 4071, 4117

Probate judges, created and established—  
HB 384, pages 192, 582 701, 2584, 2621, 2628

**RETIREMENT INCOME**

Governors, former, provided—  
SB 15, pages 1484, 2468, 2684, 2732, 2736, 2758, 2893

Income tax exemption, military personnel, retired—  
HB 369, page 190

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Military, taxes, exempt—  
SB 20, pages 1690, 1920, 3859, 3993, 4096, 4135

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Taxation, income of, exempt from—  
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**RETIREMENT PAY**

Legislators, serving 3 or more terms, to receive—  
HB 1941, page 2889

Member, retired of State Employees' Retirement System; \$4800,  
earned from any source, retirement pay, unaffected—  
HB 337, pages 180, 586, 2684, 3068, 3096

Member, retired of Teacher's Retirement System of Alabama; \$4800,  
earned from any source, retirement pay, unaffected—  
HB 336, pages 180, 586, 2684, 3068, 3096

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St. Clair county governing body, provided—  
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Alabama Peace Officers' Annuity and Benefit Fund, regulated—  
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Birmingham fire departments, separate—  
HB 270, pages 149, 582, 700, 2440, 2595, 2626

Birmingham policemen's, amended—  
HB 133, pages 63, 582, 699, 2440, 2595, 2626

City of Dothan, amended—  
HB 93, pages 31, 130, 269, 1227, 1239

County or municipal, property held for, not to be deemed abandoned—  
HB 568, pages 304, 1191, 1695

Employees', average final compensation, provided—  
HB 63, pages 22, 1477, 2196, 2255, 2537, 2684, 3068, 3111, 4393, 4483, 4499

Employees, benefits, guaranteed—  
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Employees', Chambers County Assistant Engineer, contributions paid to—  
HB 708, pages 396, 424, 543

Employees, cooperative extension service of Auburn University, employees to participate in—  
HB 1601, pages 1863, 1921, 2196, 2255, 2537, 2617, 3786, 3833, 3857

Employees', full benefits after 30 years of service, provided—  
HB 1349, page 1215

Employees', reopening of—  
HB 43, pages 14, 1475, 1901, 2000, 2049, 2195, 2255, 2414, 4381, 4482, 4499

Employees, Society for Crippled Children employees, to be covered by—  
SB 357, pages 1689, 1690

Employees', state policemen, death of, beneficiary, expended coverage—  
HB 534, page 297

Fire and police departments, persons employed by, provided for—  
HB 1594, pages 1860, 2118

Jefferson county, established—  
HB 1776, page 2187  
HB 1777, page 2189

Judicial, fund, created—  
HB 554, page 302

Of Alabama, clarification of corporate powers of—  
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## RETIREMENT SYSTEMS (Continued)

Phenix City, policemen and firemen, provided—

HB 965, pages 725, 928, 1041, 2746, 2777, 2851

Policemen and firemen, cities 250,000 or more population, provided—

HB 802, pages 509, 1754, 1892, 2738, 2761, 2850

Sheriffs, provided—

HB 616, pages 350, 2116, 2537, 2685, 2792, 3069, 3193, 3203, 4424, 4487, 4500

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State employees, Bessemer, city of, employees to participate in—

HB 1626, pages 1877, 2112, 2465, 2721

State employees, Legislature, open to—

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State employees, Tannehill Furnace and Foundry Commission, employees of, to join—

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State policemen, to be hired by state, allowed—

HB 537, pages 298, 428, 2049, 2196, 2255, 2537, 2623

Teachers', average final compensation, provided for—

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Teachers', certain employees to become member of—

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Teachers', certain retirement benefits, guaranteed—

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Teachers, formula factor for benefits, provided—

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Teachers, formula factor for computing benefits, defined—

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Teachers, janitors, maids, cafeteria workers and employees, to become members of—

HB 38, pages 1195, 2049, 2196, 2255, 2422, 4408, 4471, 4500

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Teachers', law enforcement officers, open to—

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Teachers, lunchroom managers, to become members—

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Teachers', school lunchroom workers, members of, to become—  
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Cities 45,000 to 65,000 population, policemen's and firemen's Board  
of Trustees, created—  
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Law enforcement officers of, subsistence allowance, provided—  
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REWARDS

Further regulated—  
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Murder or attempted murder of public official, increased—  
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REZONING

Cities 175,000 to 225,000 population, request, one per year, allowed—  
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RICE, SR., WALTER L.

Death mourned—  
HJR 162, pages 1156, 1345, 1791, 1813, 1839

RICHARDSON, MR. O. R.

Death mourned—  
HR 361, pages 2787, 3269

RICHEY, MICHAEL

Congratulated—  
HJR 63, pages 311, 364, 685, 708, 718

**RICHMOND PEARSON HOBSON MEMORIAL BOARD**

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**RIDGEWAY, E. J.**

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**RIDLEY ROAD**

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Labor unions, membership or non-membership in, not to determine—

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Bibb County Commission, to maintain—

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Counties 10,900 to 11,500 population, maintained—

HB 1844, pages 2472, 2636, 3080

**ROADS AND BRIDGES**

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Coffee county, maintained—

HB 1617, pages 1867, 1932, 2062

Dekalb county, construction projects, designated—

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Dekalb county, funds, use of, limited—

HB 1865, pages 2493, 2642, 3091, 3348, 3396, 3399, 4004, 4067, 4117

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Lauderdale county, maintenance of, provided—

HB 1049, pages 858, 933, 1060, 2836, 2860, 3246

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Public, motorcycles and motor driven cycles, headlight always on—

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Road 77, Pea River Bridge, Samuel Kirke Adams Bridge, named—

HB 1230, pages 1090, 1748, 2049, 2109, 3851, 3905, 4115,

State Highway Department, bonds issued for public—

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Washington county, county engineer to construct, maintain and  
repair—  
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Church buses, motor vehicles stop when approaching—  
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Grade crossings, warning signals, obeyed—  
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Intersections, vehicle control—  
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HB 736, pages 440, 927, 2687, 3070, 3383

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HB 737, pages 440, 927, 2687, 3070, 3383

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HB 253, pages 140, 1241, 2538, 2685, 3069, 3224, 3382, 3403

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HB 249, pages 139, 420, 1734, 1792

Motor vehicles, speed restrictions, established—  
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## ROADS AND HIGHWAYS (Continued)

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HB 288, pages 158, 1070, 1196, 2196, 2256, 2537, 2685, 3068, 3112

Speed limit, maximum, set—

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Uniform county street and road numbering system, established—

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Vehicles, overtaking and passing of—

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HB 729, pages 439, 926, 2687, 3070, 3383

Vehicles, overweight, to have damaged—

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Counties 65,500 to 75,200 population, referendum on maintenance, provided—

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Commemorated—

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## ROBERT E. LEE HIGH SCHOOL BAND

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**ROBERT T. WILSON MINE TECHNOLOGY BUILDING**

Walker State Technical College, buliding, named—  
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**ROBEY, MRS. LUCINDA BROWN**

Death of, mourned—  
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Commission, certain expenses of sheriff and district attorney, to pay—

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Coroner, expense allowance, provided—

HB 1119, pages 943, 1185, 1278, 2762, 2779, 2852

District Attorney, secretary of, salary set—

HB 109, pages 46, 722, 901, 2452, 2605, 2627

Emergency medical services, established—

HB 966, pages 730, 928, 1041, 2454, 2569, 2626

Fiduciary fund, monies in over ten years, removed—

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Sheriff, two deputies and jail matron, to appoint—

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Judicial circuits composed of one county with six to nine circuit judges, administrative assistant to district attorney and legal stenographers, increased—

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Counties 300,000 to 500,000 population youth aid division, chief of, provided—

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Counties 53,000 to 55,000 population, new, established—

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Motor vehicle, part of, trade in of, on—

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Deer, used in killing, allowed—

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Hunting, use of in, legalized—

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Sport fishing in, licenses required—

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Net fishing of, prohibited—

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Congratulated—

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**SATTERFIELD, MARLIN G.**

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Marshall county, branch offices, established—

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Counties 53,000 to 55,000 population, branch offices, established—

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**SAWTELL, CLEMENT C.**

Thanked—

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**SCHEDULE OF COMPENSATION**

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Appropriation to—

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Counties 90,000 to 100,000 population, city or county, temporary loans, to make—

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Marshall county, sick leave, increased—

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Counties 53,000 to 55,000 population, sick leave, increased—

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**SCHOOL LUNCHROOM MANAGERS**

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**SCHOOL LUNCHROOMS**

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HB 330, pages 179, 427, 3071, 3384

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- Counties 22,000 to 22,500 population, prisoner feed allowance, provided—  
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Over 40,000 square feet, public restroom facilities, constructed and maintained—

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HB 1019, pages 811, 1185

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Deputy District Attorney No. 5, created—  
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**SMITH, MISS MILDRED**

Honored—

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**SMITH, MR. AND MRS. ATTLEY C.**

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**SMITH, MRS. HATTIE**

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**SMITH, MRS. ZULA ESTELLE**

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Credit Union Board, appointing power, changed to Governor—

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HB 107, pages 46, 379, 464, 2748, 2765, 2851

District attorney of, additional expense allowance, provided—  
HB 108, pages 46, 722, 900, 2452, 2605, 2627

District attorney's fund, established—  
HB 1117, pages 942, 1185, 1276, 2762, 2778, 2851

Stenographic secretary, position of, established—  
HB 1116, pages 942, 1003, 1104, 2792, 2861, 3247

**TWENTIETH JUDICIAL CIRCUIT**

Full-time deputy district attorney and a clerk-secretary, appointment of—  
HB 650, page 358

**TWENTY-THIRD JUDICIAL CIRCUIT**

Assistant district attorney, compensated—  
HB 1131, pages 952, 1476

**UDELL, MRS. EDNA BETTY**

Death mourned—  
SJR 109, pages 2850, 3269, 3456

**UNAUTHORIZED VEHICLES**

Removal of—  
HB 735, pages 440, 927, 2687, 3070, 3383

**UNDERCOVER POLICEMEN**

Assigned to another county, provided for—  
HB 572, pages 305, 422, 1911

**UNDERTAKERS**

Licensed to enucleate donor eyes—  
HB 1232, pages 1090, 1924

**UNDERWOOD, MR. AND MRS. N. B.**

Congratulated—  
HJR 415, pages 3911, 4122, 4143, 4498

**UNEMPLOYMENT BENEFITS**

Business closed because of pollution, employees of provided for—  
HB 52, pages 18, 587

**UNEMPLOYMENT COMPENSATION**

Benefit account—  
HB 938, page 674

**UNEMPLOYMENT INSURANCE FRAUD INVESTIGATORS**

Department of Industrial Relations, peace officers, powers of, granted—  
HB 1910, page 2673

**UNFAIR CIGARETTE SALES ACT**

Repealed—  
HB 1503, pages 1505, 1928

**UNINCORPORATED COMMUNITIES**

Incorporation of, provided for—  
HB 1959, pages 3263, 3459

**UNIFORM ACT TO SECURE THE ATTENDANCE OF WITNESSES FROM WITHOUT A STATE IN CRIMINAL PROCEEDINGS**

Witnesses, from another state, payment of, provided—  
SB 49, pages 2308, 2309

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HB 907, page 611



**UNIFORM ALCOHOLISM AND INTOXICATION TREATMENT ACT**

Provided for—

HB 341, page 180

**UNIFORM ALLOWANCE**Counties 57,000 to 61,000 population sheriffs department, provided—  
HB 1696, pages 2031, 2125, 2329, 3591, 3677**UNIFORM CODE OF MILITARY JUSTICE**

Created—

SB 254, pages 2791, 3868, 4450, 4467, 4493

**UNIFORM COMMERCIAL CODE**

Amended—

HB 1093, pages 888, 1188

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**UNIFORM HONEY LAW**

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HB 1405, pages 1264, 1301, 3382

**UNIFORM MILITARY CODE**

Created—

HB 1596, page 1861

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Automobiles privilege or license fee on military personnel, exempt—  
HB 5, page 8**UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970**

State to comply with—

HB 1669, pages 2011, 2118, 3381, 4140, 4160

**UNIFORMS**

Counties 300,000 to 500,000 provide annual allowance for deputy sheriffs uniforms—

HB 355, pages 186, 499, 623, 3589, 3683

Sheriffs, uniform color combination provided—

HB 564, pages 303, 1076

**UNINCORPORATED ASSOCIATIONS**

Further regulated—

HB 912, pages 661, 1922, 2537, 2685, 3069, 3185

**UNION BUILDING**

George C. Wallace, Livingston University, named—

HB 902, pages 610, 1077, 1167, 3850, 3905, 4115

**UNION DUES**

Employee's, non-union, to pay amount equal to—

HB 224, pages 106, 290, 785, 787, 907

## UNITED STATES HIGHWAY 84

Cornelia Wallace Drive, named—  
HB 1730, pages 2044, 2123, 2325

## UNITED STATES

President and vice-president of, direct voting on, provided—  
HB 20, page 10

State government beef not produced in, purchase of, prohibited—  
HB 125, pages 60, 341, 1363

## UNITED STATES CORPS OF ENGINEER

Urged to cease enforcement of 800 ft. limit below hydroelectric  
dams—  
HJR 183, pages 1236, 1345

## UNIVERSITY OF ALABAMA

Appropriation, made to—  
HB 616, pages 350, 2116, 2537, 2685, 2792, 3069, 3193, 3203, 4424,  
4487, 4500

Bryant-Denny stadium, named—  
SB 868, pages 1685, 1686, 1924, 2195, 2221, 2245

Mental health bonds, issued—  
HB 494, page 243

## UNIVERSITY OF ALABAMA, BIRMINGHAM

Appropriations, made—  
HB 435, pages 203, 1310, 1456, 1919, 1933, 2004

Optometry, school of, scholarship program, provided—  
HB 1519, page 1674

Physical education facility, named and designated—  
HB 434, pages 203, 428, 2072

School of Nursing, scholarship programs set up for—  
HB 204, pages 102, 1477, 3382

## UNIVERSITY OF ALABAMA IN HUNTSVILLE

Appropriation, provided—  
HB 1443, page 1338

## UNIVERSITY OF ALABAMA CENTER FOR BUSINESS AND ECONOMIC RESEARCH, ALABAMA LEAGUE OF MUNICIPALITIES, ALABAMA DEVELOPMENT OFFICE, ALABAMA STATE CHAMBER OF COMMERCE

Thanked—  
HJR 376, pages 3102, 4001, 4069, 4117

## UNIVERSITY OF NORTH ALABAMA

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HB 1417, pages 1313, 1476, 2537, 2684, 3068, 3108

## UNIVERSITY OF SOUTH ALABAMA

## Appropriation to—

HB 891, pages 603, 1475, 1810, 2001, 2049, 2196, 2255, 2537, 2684,  
3063, 3097

HB 892, pages 604, 1475, 1833, 2001

## UNSAFE BUILDINGS

Cities 41,000 to 45,000 population, to demolish

HB 1664, pages 1947, 2467, 2726, 3658, 3688, 3856

## UNSAFE CONSTRUCTION

Cities 60,000 to 70,000 population, to demolish—

HB 592, page 308

## URANIUM

Electricity, tax exclusion—

HB 507, pages 251, 426, 915, 916, 4411, 4472, 4500

Plants for the isotopic enrichment of, taxes, exempt—

HB 1472, pages 1425, 1475, 1795, 4409, 4472, 4500

## USURY

County hospital boards, exempt—

HB 1193, pages 1025, 1078, 1919, 1995

Gas districts, exempt—

HB 1195, pages 1026, 1079, 3382, 3551, 3552, 4154, 4185, 4499

Hospitals, bonds, etc., issued by, exempt from—

HB 1060, pages 874, 1191

Hospital corporations, bonds and notes issued by, exempt—

SB 783, pages 1484, 1841, 1994, 2050

Legal rate of interest, raised—

HB 246, page 117

Municipal electric authorities, exempt—

HB 1286, pages 1143, 1745, 2112, 3071, 3383

Securities, payable from pledges, exempt—

HB 1374, pages 1246, 1464, 3383, 3551, 3554, 4155, 4186, 4499

Warrants issued by counties, exempt from laws governing—

HB 1370, pages 1245, 1463, 3382, 3551, 3552, 4154, 4185, 4499

HB 1371, pages 1245, 1463, 3382, 3551, 2553, 4154, 4185, 4499

Warrants issued for acquiring property, exempt—

HB 1373, pages 1246, 1463, 3382, 3551, 3554, 4323, 4394, 4499

Warrants issued for water works systems, exempt—

HB 1372, pages 1246, 1463, 3382, 3551, 3553, 4154, 4186, 4499

Counties 95,000 to 115,000 population hospitals, bonds etc., issued by,  
exempt—

HB 1065, pages 877, 1242, 1348, 1355

## UTILITIES

Certificate of convenience and necessity, required to obtain—

HB 303, page 165

## UTILITIES (Continued)

Certificate of public convenience and necessity, required to obtain, to give notice of filing—  
SB 67, pages 1483, 3861

Decatur, city of, electric plant, amount of expenditures for construction, raised—  
HB 58, pages 21, 129, 268, 1656, 1660, 1838

Department of consumer affairs, created, to represent public in grievances against—  
HB 1725, page 2044

Doing business in state, list of stockholders, to file—  
SB 140, page 1886

Exemptions, provided further for—  
HB 1100, pages 938, 1747

Gross receipts tax on, levied—  
SB 301, pages 2843, 3867, 4337, 4338, 4473

Notified of excavations or underground explosions near utility facilities—  
HB 875, pages 600, 1466

Privilege or license tax, levied on—  
HB 89, pages 30, 1479, 2196, 2255, 2537, 2624

Privilege or license tax on, provided—  
HB 1409, pages 1265, 1300, 1396, 1496, 1507, 1638

Service use tax on, levied—  
SB 300, pages 2843, 3867, 4337, 4476

Counties 300,000 to 500,000 population service to dwellings, prohibited from until certificate of health safety issued—  
HB 854, page 536

Uranium enrichment plants, taxes, exempt—  
HB 1472, pages 1425, 1475, 1795, 4409, 4472, 4500

## UTILITY SERVICES

Excise tax on, provided—  
HB 1410, pages 1265, 1300, 1396, 1496, 1510, 1516

Incorporated municipalities, discontinue because of delinquency—  
HB 117, pages 55, 578

## UTILIZATION REVIEW AND QUALITY CONTROL COMMITTEE

Dentists appointed to, not liable—  
SB 473, pages 2841, 2864, 3860, 4115, 4344, 4449, 4494

Not liable for actions—  
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## VACCA, PAT

Happy birthday, wished—  
SJR 111, pages 2306, 2601, 2688

## VAUGHAN, MISS ANITA SUE

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## VAUGHN, CECIL

Speedy recovery wished—

HR 230, pages 1662, 1773

## VENDING MACHINES

Licensing of—

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Use taxes, discount provided—

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## VENEREAL DISEASE

Positive tests for, state board of health, reported to—

SB 188, pages 1688, 1689

State Board of Health, positive test laboratories required to report to—

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## VESTAVIA HILLS, ALABAMA

Authorized to pay Roland L. Paulin for expenses—

HB 970, pages 731, 1305, 1434, 2445, 2548, 2625

City of, ad valorem tax, levied—

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City of, land limits, added to—

HB 1454, pages 1407, 2009, 2213, 4124, 4145, 4498

City of, ad valorem tax, levied—

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## VETERINARY MEDICINE

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## VOTER REGISTRATION

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Randolph county, deputy registrars, to take application for—  
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## VOTERS AND VOTING

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Chambers county, voter reidentification, provided—  
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Counties using machines, printouts, authorized to use—  
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Electronic voting systems, provided—  
SB 440, page 2846

Further registering, provided—  
HB 644, pages 357, 1923

In municipal elections, provided for—  
HB 1244, pages 1095, 1926

List of registered voters, Shelby county, employees prohibited from giving out—  
HB 874, pages 599, 656, 758, 2447, 2550, 2626

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Tuscaloosa, city of, provided for—  
HB 1700, page 2031  
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Counties 48,020 to 49,750 population, reidentification of, provided for—  
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## VOTERS AND VOTING (Continued)

Counties 53,000 to 55,000 population, voting machines, required—  
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Counties 150,000 to 180,000 population reidentification provided for—  
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Counties 300,000 to 500,000 population board of registrars, to re-  
identify and register—  
HB 589, pages 308, 500, 631, 3597, 3691, 3856

Marshall county, voting machines, required—  
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## VOTERS OF THE STATE

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Employee's off-time, granted—  
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County governing bodies, to establish—  
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Established—  
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Counties 53,000 to 55,000 population, required—  
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setting up, of—  
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## WAGERING AND BETTING

Greene county, commission for regulating—  
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Jefferson county, regulated—  
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Macon County Racing Commission, to supervise—  
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## WAGERING AND BETTING (Continued)

Counties 300,000 to 600,000 population, on dog racing, regulated—  
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Counties 300,000 to 600,000 population, regulated—  
SB 478, pages 2966, 3864, 4166, 4202, 4383

## WALKER COUNTY

Ad valorem tax, 4 mill, levied—  
HB 1481, pages 1497, 1649, 1785, 3588, 3682  
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Assistant district attorney, compensated—  
HB 1253, pages 1098, 1186, 1281, 2450, 2566, 2626

Civil service system, provided—  
HB 931, pages 670, 723, 904

Commissioner of licenses, office of, created—  
HB 1903, pages 2657, 2866, 3354, 4003, 4066, 4117

Dora, town of, boundaries extended—  
HB 1298, pages 1149, 1187, 1285, 2441, 2596, 2627

Junior college, appropriation for—  
HB 271, pages 152, 1744, 1919, 1988, 4393, 4483, 4499

Solicitor of county court, abolished—  
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Superintendent of Education, compensated—  
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## WALKER COUNTY JUNIOR COLLEGE

Appropriation for—  
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## WALKER STATE TECHNICAL COLLEGE

Robert T. Wilson Mine Technology Building, named—  
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## WALLACE, MRS. CORNELIA

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## WALLIS, MRS. HELEN ROBBS

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## WALNUT GROVE

Town of, boundaries altered—  
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Perry county, named—  
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HR 179, page 1220  
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HB 225, pages 106, 216, 493, 773

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Madison county, office of, established—  
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Montgomery county, office of, created—  
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Clarke county, search and arrest, provided for—  
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Issued by county, usury laws, exempt—  
HB 1370, pages 1245, 1463, 3382, 3551, 3552, 4154, 4185, 4499  
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Issued for requiring property, usury laws, exempt—  
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Issued for water works systems, usury laws, exempt—  
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Counties 12,000 to 12,800 population, county court clerk, to destroy—  
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WARRANTY

Death resulting from breach of, provided for—  
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WASHINGTON COUNTY

County commission, election of, provided—  
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County engineer, hired to construct, maintain and repair roads, bridges and ferries—  
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County school board, expense allowance, provided—  
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Nighttime deer hunting, equipment used in, declared to be contraband—  
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Uniform, to wear or possess, lawful—

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Bonds, to issue—

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## WATER AUTHORITIES

Counties, board of directors, regulated—

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## WATER CONSERVATION

Provided for—

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## WATER IMPROVEMENT COMMISSION ACT

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## WATER SYSTEMS

Counties 600,000 or more population, provided—

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## WATER WORKS SYSTEMS

Counties, owned by municipalities, to acquire—

SB 925, pages 2308, 2309, 2871, 4405, 4475

Counties, to acquire—

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Municipalities to convey to other municipalities—

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Warrants issued for, usury laws, exempt—

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Choctawhatchee River Watershed Association, appropriation to—

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Public, hunting deer from, illegal—  
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Vessels operated on, registration of, provided for—  
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Counties 600,000 or more population, inland, corporations to develop,  
authorized—  
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## WBAM "ALL AMERICAN" BASKETBALL TEAM

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centives, established—  
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Calhoun county, to hold every four years—  
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Cities 10,000 or less population, to hold—  
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**WHALEY, REVEREND TERRELL**

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Endangered, protected—

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WILLIAMS, MISS WANDA

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Chambers county, relief of, provided—

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Counties 35,000 to 38,000 population, relief of, provided—

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WILSON, MRS. INIS

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Made at home, allowed—

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WINSTON COUNTY

Branch banking, authorized—

HB 1668, pages 2010, 2122, 2410, 3647, 3694, 3856

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Banks, branch, authorized—

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Mobile county, subpoenas, provided for—

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Counties 57,000 to 61,000 population, by mail, provided—  
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Floor privileges, given—  
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## WKLF—WEZZ

Congratulated—  
HJR 249, pages 1844, 2600, 2835, 2862, 3246

## W. O. "BILL" PATTERSON GRAIN ELEVATOR

Phenix city, named—  
HB 1946, pages 2890, 3457, 3839, 4140, 4160, 4498

## WOMEN'S COMMISSION

Special fund for annual appropriations, created—  
HB 315, page 169

## WOOD, CATHY

Congratulated—  
HJR 269, pages 2003, 2601, 2835, 2862, 3247

## WORK INCENTIVE PROGRAMS

State commission for development of, established—  
HB 975, page 733

## WORKING TEST PERIOD

State employees, for, provided for—  
HB 1615, page 1867

## WORKMEN'S COMPENSATION

Cases brought under, lawyer's fees, increased—  
HB 1484, pages 1499, 1744, 1927

Law revised and regulated—  
HB 1567, pages 1768, 1841, 2049, 2195, 2255, 2337, 3384, 3445, 3583,  
3592, 3809, 3813, 4416

## WORKMEN'S COMPENSATION ACT

Mobile county, to adopt—  
HB 1663, page 1946

## WORKMEN'S COMPENSATION BARGAINING

Those to participate, compensated—  
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WORKMEN'S COMPENSATION LAW

County and municipal employees, to come under—  
SB 245, pages 2841, 2871, 3394, 3456

WRESTLING

Sunday, allowed on—  
HB 1666, pages 1948, 2118, 3070, 3382

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Occurring on real property, actions, relating to—  
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Commended—  
HR 129, pages 891, 972

YOUTH AID

Counties 300,000 to 500,000 population, division, chief of, sheriff, to  
appoint—  
HB 356, pages 186, 1307, 1444, 1450, 4122, 4143, 4498

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Commemorated—  
HR 313, pages 2156, 2599

ZONING ORDINANCE

Counties 500,000 or more population, no variance, to be provided—  
SB 1157, pages 3050, 3051, 3706, 3941, 4132

Municipalities 500,000 or more population, no variance granted—  
HB 1765, pages 2179, 3462, 3740

